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THE

Confessions

OF AN

ATTORNEY.

BY

GUSTAVUS SHARP, ESQ.,
Of the late firm of Flint & Sharp.

TO WHICH ARE ADDED

SEVERAL PAPERS ON ENGLISH LAW AND LAWYERS,

BY

CHARLES DICKENS.

NEW YORK:
CORNISH, LAMPORT & CO., PUBLISHERS,
No. 8, Park Place.
1853

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PREFACE.

THE following "Confessions" are evidently by the author of "The Experiences of a Barrister," a work recently issued by the publishers of this volume, and which has been extraordinarily successful—no less than five editions having been exhausted within a month of the day of publication. It is believed that this work will receive, as it deserves, the same meed of public favor. The question of the authorship of both is yet involved in mystery and much mooted, but they are generally attributed to Samuel Warren, Esq., author of "Ten Thousand a Year."

Certain papers on English Law and Lawyers—contributed to "Household Words" by Charles Dickens, have been incorporated in this volume. It is presumed they will be welcome—for they are the "shadows before" that "coming event" in the literary world for which so many are anxiously waiting—the publication of "Bleak House."

Stereotyped by VINCENT DILL, JR., No. 29 Beekman Street, N. Y.

Part I.

THE LIFE POLICY.

Besides being the confidential advisers, attorneys are the "confessors" of modern England; and the revelations—delicate, serious, not unfrequently involving life as well as fortune and character—confided to the purchased fidelity and professional honor of men whom romancers of all ages have stereotyped as the ghouls and vampires of civilized society, are, it is impossible to deny, as rarely divulged as those which the penitents of the Greek and Latin churches impart to their spiritual guides and helpers; and this possibly for the somewhat vulgar, but very sufficient reason, that "a breach of confidence" would as certainly involve the professional ruin of an attorney as the commission of a felony. An able but eccentric jurisconsult, Mr. Jeremy Bentham, was desirous that attorneys should be compelled to disclose on oath whatever guilty secrets might be confided to them by their clients; the only objection to which ingenious device for the conviction of rogues being, that if such a power existed, there would be no secrets to disclose; and, as a necessary consequence, that the imperfectly-informed attorney would be unable to render his client the justice to which every person, however criminal, is clearly entitled—that of having his or her case presented before the court appointed to decide upon it in the best and most advan-

tageous manner possible. Let it not be forgotten either that the attorney is the only real, practical defender of the humble and needy against the illegal oppressions of the rich and powerful—the shrewd, indomitable agent who gives prosaic reality to the figurative eloquence of old Chancellor Fortescue, when he says, "that the lightning may flash through, the thunder shake, the tempest beat, upon the English peasant's hut, but the king of England, with all his army, cannot lift the latch to enter in." The chancellor of course meant, that in this country overbearing violence cannot defy, or put itself in the place of the law. This is quite true; and why? Chiefly because the attorney is ready, in all cases of *provable* illegality, with his potent strip of parchment summoning the great man before "her Sovereign Lady the Queen," there to answer for his acts; and the *richer* the offender, the more keen and eager Mr. Attorney to prosecute the suit, however needy his own client; for he is then sure of his costs, if he succeed! Again, I cheerfully admit the extreme vulgarity of the motive; but its effect in protecting the legal rights of the humble is not, I contend, lessened because the reward of exertion and success is counted out in good, honest sovereigns, or notes of the Governor and Company of the Bank of England.

Thus much by way of conciliatory prologue to the narrative of a few incidents revealed in the attorney's privileged confessional; throughout which I have of course, in order to avoid any possible recognition of those events or incidents, changed the name of every person concerned.

Our old city firm, then, which, I am happy to say, still flourishes under the able direction of our active uccessors, I will call—adopting the nomenclature appropriated to us by imaginative ladies and gentlemen who favor the world with

fancy pen-and-ink portraits of the lawyer tribe—that of Flint and Sharp; Sharp being myself, and Flint the silver-haired old bachelor we buried a few weeks since in Kensal Green Cemetery.

"Mr. Andrews," said a clerk as he threw open the door of the inner office one afternoon; "Mr. Jesse Andrews."

"Good-day, Mr. Andrews," was my prompt and civil greeting: "I have good news for you. Take a chair."

The good-humored, rather intelligent, and somewhat clouded countenance of the new-comer brightened up at these words. "News from my Cousin Archibald?" he asked, as he seated himself.

"Yes: He laments your late failure, and commiserates the changed position and prospects of your wife and boy, little Archibald, his godson. You he has not much compassion for, inasmuch as he attributes your misfortunes entirely to mismanagement, and the want of common prudence."

"Candid, certainly," grumbled out Mr. Jesse Andrews; "but an odd sort of good news!"

"His deeds are kinder than his words. He will allow, till Archibald attains his majority—— Let me see—how old is that boy of yours now?"

"Ten. He was two years old when his godfather went to India."

"Well, then, you will receive two hundred pounds per annum, payable half-yearly, in advance, for the next ten years—that is, of course, if your son lives—in order to enable you to bring him up, and educate him properly. After that period has elapsed, your cousin intimates that he will place the young man advantageously, and I do not doubt will do something for you, should you not by that time have conquered a fair position for yourself."

"Is that all?" said Mr. Andrews.

"All! Why, what did you expect?"

"Two or three thousand pounds to set me afloat again. I know of a safe speculation, that with, say three thousand pounds capital, would realize a handsome fortune in no time."

Mr. Jesse Andrews, I may observe, was one of that numerous class of persons who are always on the threshold of realizing millions—the only and constant obstacle being the want of a sufficient "capital."

I condoled with him upon his disappointment; but as words, however civil, avail little in the way of "capital," Mr. Jesse Andrews, having pocketed the first half-yearly installment of the annuity, made his exit in by no means a gracious or grateful frame of mind.

Two other half-yearly payments were duly paid him. When he handed me the receipt on the last occasion, he said, in a sort of off-hand, careless way, "I suppose, if Archy were to die, these payments would cease?"

"Perhaps not," I replied unthinkingly. "At all events, not, I should say, till you and your wife were in some way provided for. But your son is not ill?" I added.

"No, no; not at present," replied Andrews, coloring, and with a confusion of manner which surprised me not a little. It flashed across my mind that the boy was dead, and that Andrews, in order not to risk the withdrawal or suspension of the annuity, had concealed the fact from us.

"Let me see," I resumed, "we have your present address—Norton Folgate, I think?"

"Yes, certainly you have."

"I shall very likely call in a day or two to see Mrs. Andrews and your son."

The man smiled in a reassured, half-sardonic manner. "Do," he answered. "Archy is alive, and very well, thank God!"

This confidence dispelled the suspicion I had momentarily entertained, and five or six weeks passed away, during which Andrews and his affairs were almost as entirely absent from my thoughts as if no such man existed.

About the expiration of that time, Mr. Jesse Andrews unexpectedly revisited the office, and as soon as I was disengaged, was ushered into my private room. He was habited in the deepest mourning, and it naturally struck me that either his wife or son was dead—an impression, however, which a closer examination of his countenance did not confirm, knowing as I did, how affectionate a husband and father he was, with all his faults and follies, reputed to be. He looked flurried, nervous, certainly; but there was no grief, no sorrow in the restless, disturbed glances which he directed to the floor, the ceiling, the window, the fire-place, the chairs, the table—everywhere, in fact, except towards my face.

"What is the matter, Mr. Andrews?" I gravely inquired, seeing that he did not appear disposed to open the conversation.

"A great calamity, sir—a great calamity," he hurriedly and confusedly answered, his face still persistently averted from me —"has happened! Archy is dead!"

"Dead!" I exclaimed, considerably shocked. "God bless me! when did this happen?"

"Three weeks ago," was the reply. "He died of cholera."

"Of cholera!" This occurred, I should state, in 1830.

"Yes: he was very assiduously attended throughout his sufferings, which were protracted and severe, by the eminent

Dr. Parkinson, a highly-respectable and skilled practitioner, as you doubtless, sir, are aware."

I could not comprehend the man. This dry, unconcerned, business-sort of gabble was not the language of a suddenly-bereaved parent, and one, too, who had lost a considerable annuity by his son's death. What could it mean? I was in truth fairly puzzled.

After a considerable interval of silence, which Mr. Andrews, whose eyes continued to wander in every direction except that of mine, showed no inclination to break, I said—"It will be necessary for me to write immediately to your cousin, Mr. Archibald Andrews. I trust, for your sake, the annuity will be continued; but of course, till I hear from him, the half-yearly payments must be suspended."

"Certainly, certainly: I naturally expected that would be the case," said Andrews, still in the same quick, hurried tone. "Quite so."

"You have nothing further to say, I suppose?" I remarked, after another dead pause, during which it was very apparent that he was laboring with something to which he nervously hesitated to give utterance.

"No—yes—that is, I wished to consult you upon a matter of business—connected with—with a life-assurance office."

"A life-assurance office?"

"Yes." The man's pale face flushed crimson, and his speech became more and more hurried as he went on. "Yes; fearing, Mr. Sharp, that should Archy die, we might be left without resource, I resolved, after mature deliberation, to effect an insurance on his life for four thousand pounds."

"Four thousand pounds!"

"Yes. All necessary preliminaries were gone through. The

medical gentleman—since dead of the cholera, by the way—examined the boy of course, and the insurance was legally effected for four thousand pounds, payable at his death."

I did not speak; a suspicion too horrible to be hinted at held me dumb.

"Unfortunately," Andrews continued, "this insurance was only effected about a fortnight before poor Archy's death, and the office refuses payment, although, as I have told you, the lad was attended to the very hour of his death by Dr. Parkinson, a highly-respectable, most unexceptionable gentleman. Very much so indeed."

"I quite agree in that," I answered after a while. "Dr. Parkinson *is* a highly-respectable and eminent man. What reason," I added, "do the company assign for non-payment?"

"The very recent completion of the policy."

"Nonsense! How can that fact, *standing alone*, affect your claim?"

"I do not know," Andrews replied; and all this time I had not been able to look fairly in his face; "but they *do* refuse; and I am anxious that your firm should take the matter in hand, and sue them for the amount."

"I must first see Dr. Parkinson," I answered, "and convince myself that there is no *legitimate* reason for repudiating the policy."

"Certainly, certainly," he replied.

"I will write to you to-morrow," I said, rising to terminate the conference, "after I have seen Dr. Parkinson, and state whether we will or not take proceedings against the insurance company on your behalf."

He thanked me, and hurried off.

Dr. Parkinson confirmed Mr. Jesse Andrews in every par-

ticular. He had attended the boy, a fine, light-haired lad of eleven or twelve years of age, from not long after his seizure till his death. He suffered dreadfully, and died unmistakably of Asiatic cholera, and of nothing else; of which same disease a servant and a female lodger in the same house had died just previously. "It is of course," Dr. Parkinson remarked in conclusion, "as unfortunate for the company as it is strangely lucky for Andrews; but there is no valid reason for refusing payment."

Upon this representation we wrote the next day to the assurance people, threatening proceedings on behalf of Mr. Jesse Andrews.

Early on the morrow one of the managing-directors called on us, to state the reasons which induced the company to hesitate at recognizing the plaintiff's claim. In addition to the doubts suggested by the brief time which had elapsed from the date of the policy to the death of the child, there were several other slight circumstances of corroborative suspicion. The chief of these was, that a neighbor had declared he heard the father indulging in obstreperous mirth in a room adjoining that in which the corpse lay only about two hours after his son had expired. This unseemly, scandalous hilarity of her husband, the wife appeared to faintly remonstrate against. The directors had consequently resolved *non obstante* Dr. Parkinson's declaration, who might, they argued, have been deceived, to have the body exhumed in order to a post-mortem examination as to the true cause of death. If the parents voluntarily agreed to this course, a judicial application to enforce it would be unnecessary, and all doubts on the matter could be quietly set at rest. I thought the proposal, under the circumstances, reasonable, and called on Mr. and Mrs. Andrews to obtain their concurrence.

Mrs. Andrews was, I found, absent in the country, but her husband was at home; and he, on hearing the proposal, was, I thought, a good deal startled—shocked rather—a natural emotion perhaps.

"Who—who," he said, after a few moments' silent reflection—"who is to conduct this painful, revolting inquiry?"

"Dr. Parkinson will be present, with Mr. Humphrey the surgeon, and Dr. Curtis the newly-appointed physician to the assurance office, in place of Dr. Morgan who died, as you are aware, a short time since of cholera."

"True. Ah, well, then," he answered almost with alacrity, "be it as they wish. Dr. Parkinson will see fair-play."

The examination was effected, and the result was a confirmation, beyond doubt or quibble, that death, as Dr. Parkinson had declared, had been solely occasioned by cholera. The assurance company still hesitated; but as this conduct could now only be looked upon as perverse obstinacy, we served them with a writ at once. They gave in; and the money was handed over to Mr. Jesse Andrews, whose joy at his sudden riches did not, I was forced to admit, appear to be in the slightest degree damped by any feeling of sadness for the loss of an only child.

We wrote to inform Mr. Archibald Andrews of these occurrences, and to request further instructions with regard to the annuity hitherto paid to his cousin. A considerable time would necessarily elapse before an answer could be received, and in the meantime Mr. Jesse Andrews plunged headlong into the speculation he had been long hankering to engage in, and was as he informed me a few weeks afterwards, on the royal road to a magnificent fortune.

Clouds soon gathered over this brilliant prospect. The partner, whose persuasive tongue and brilliant imagination had

induced Mr. Andrews to join him with his four thousand pounds, proved to be an arrant cheat and swindler; and Mr. Andrews's application to us for legal help and redress was just too late to prevent the accomplished dealer in moonshine and delusion fron embarking at Liverpool for America, with every penny of the partnership funds in his pockets!

A favorable reply from Mr. Archibald Andrews had now become a question of vital importance to his cousin, who very impatiently awaited its arrival. It came at last. Mr. Andrews had died rather sūddenly at Bombay a short time before my letter arrived there, after executing in triplicate a will, of which one of the copies was forwarded to me. By this instrument his property—about thirty-five thousand pounds, the greatest portion of which had been remitted from time to time for investment in the British funds—was disposed of as follows:—Five thousand pounds to his cousin Jesse Andrews, for the purpose of educating and maintaining Archibald Andrews, the testator's godson, till he should have attained the age of twenty-one, and the whole of the remaining thirty thousand pounds to be then paid over to Archibald with accumulated interest. In the event, however, of the death of his godson, the entire property was devised to another more distant and wealthier cousin, Mr. Newton, and *his* son Charles, on precisely similar conditions, witht he exception that an annuity of seventy pounds, payable to Jesse Andrews and his wife during their lives, was charged upon it.

Two letters were dispatched the same evening—one to the fortunate cousin, Mr. Newton, who lived within what was then known as the twopenny post delivery, and another to Mr. Jesse Andrews, who had taken up his temporary abode in a cottage near St. Alban's, Hertfordshire. These missives informed both

gentlemen of the arrival of the Indian mail, and the, to them, important dispatches it contained.

Mr Newton was early at the office on the following morning, and perused the will with huge content. He was really quite sorry, though, for poor Cousin Jesse: the loss of his son was a sad stroke, much worse than this of a fortune which he might have expected to follow as a matter of course. And the annuity, Mr. Newton thoughtfully observed, was, after all, no contemptible provision for two persons, without family, and of modest requirements.

A very different scene was enacted when, late in the evening, and just as I was about to leave the office, Mr. Jesse Andrews rushed in, white as a sheet, haggard, and wild with passion. "What devil's fables are these you write me?" he burst forth the instant he had gained the threshold of the room. "How dare you," he went on, almost shrieking with fury—"how dare you attempt to palm off these accursed lies on me? Archy rich—rich—and I——. But it is a lie!—an infernal device got up to torture me—to drive me wild, distracted—mad!" The excited man literally foamed with rage, and so astonished was I, that it was a minute or two before I could speak or move. At last I rose, closed the door, (for the clerks in the outer office were hearers and witnesses of this outbreak,) and led the way to an inner and more private apartment. "Come with me, Mr. Andrews," I said, "and let us talk this matter calmly over."

He mechanically followed, threw himself into a chair, and listened with frenzied impatience to the reading of the will.

"A curse is upon me," he shouted, jumping up as I concluded; "the curse of God—a judgment upon the crime I but the other day committed—a crime as I thought—dolt, idiot that I was—so cunningly contrived, so cleverly executed!

Fool, villain, madman that I have been; for now, when fortune is tendered for my acceptance, I dare not put forth my hand to grasp it; fortune, too, not only for me, but——. O God, it will kill us both, Martha as well as me, though I alone am to blame for this infernal chance!"

This outburst appeared to relieve him, and he sank back into his chair somewhat calmer. I could understand nothing of all that rhapsody, knowing, as I did, that his son Archibald had died from natural causes. "It *is* a severe blow," I said, in as soothing a tone as I could assume—"a very great disappointment; still, you are secured from extreme poverty—from anything like absolute want"——

"It is not that—it is not that!" he broke in, though not quite so wildly as before. "Look you, Mr. Sharp, I will tell you all! There may be some mode of extrication from this terrible predicament, and I must have your advice professionally upon it."

"Go on; I will advise you to the best of my ability."

"Here it is, then: Archy, my son Archy, is alive!—alive! and well in health as either you or I!"

I was thunderstruck. Here was indeed a revelation.

"Alive and well," continued Andrews. "Listen! when the cholera began to spread so rapidly, I bethought me of insuring the boy's life in case of the worst befalling, but not, as I hope for mercy, with the slightest thought of harming a hair of his head. This was done. Very soon the terrific disease approached our neighborhood, and my wife took Archy to a country lodging, returning herself the same evening. The next day our only servant was attacked and died. A few hours after that our first-floor lodger, a widow of the name of Mason, who had been with us but a very short time, was attacked. She suffered dreadfully; and her son, a boy about the age of Archy, and

with just his hair and complexion, took ill also. The woman was delirious with pain; and before effective medical aid could be obtained—she was seized in the middle of the night—she expired. Her son who had been removed into another room, became rapidly worse, and we sent for Dr. Parkinson; the poor fellow was partially delirious with pain, and clung piteously round my wife's neck, calling her mother, and imploring her to relieve him. Dr. Parkinson arrived, and at first sight of the boy, said, 'Your son is very ill, Mrs. Andrews—I fear, past recovery; but we will see what can be done.' I swear to you, Mr. Sharp, that it was not till this moment the device which has ruined us, flashed across my brain. I cautioned my wife in a whisper not to undeceive the doctor, who prescribed the most active remedies, and was in the room, when the lad died. You know the rest. And now, sir, tell me, can anything be done—any device suggested to retrieve this miserable blunder, this terrible mistake?"

"This infamous crime, you should say, Mr. Andrews," I replied; "for the commission of which you are liable to be transported for life."

"Yes, crime; no doubt that is the true word! But must the innocent child suffer for his father's offence?"

"That is the only consideration that could induce me to wag a finger in the business. Like many other clever rogues, you are caught in the trap you limed for others. Come to me to-morrow; I will think over the matter between this and then; but at present I can say nothing. Stay," I added, as his hand was on the door; "the identity of your son can be proved, I suppose, by better evidence than your own?"

"Certainly, certainly."

"That will do, then; I will see you in the morning."

If it should cross the mind of any reader that I ought to have given this self-confessed felon into custody, I beg to remind him that, for the reasons previously stated, such a course on my part was out of the question—impossible; and that, had it *not* been impossible I should do so, Mr. Jesse Andrews would not have intrusted me with his criminal secret. The only question now therefore was, how, without compromising this guilty client, the godfather's legacy could be secured for the innocent son.

A conference the next morning with Mr. Flint resulted in our sending for Mr. Jesse Andrews, and advising him, for fear of accidents or miscarriage in our plans, to betake himself to the kingdom of France for a short time. We had then no treaty of extradition with that country. As soon as I knew he was safely out of the realm, I waited upon the insurance people.

"The money ought not to have been received by Jesse Andrews, you say, Mr. Sharp?" observed the managing-gentleman, looking keenly in my face.

"Precisely. It ought not to have been received by him."

"And *why* not, Mr. Sharp?"

"That is quite an unnecessary question, and one that, you know, I should not answer, if I could. That which chiefly concerns you is, that I am ready to return the four thousand pounds at once, here on the spot, and that delays are dangerous. If you refuse, why, of course—and I rose from my chair—I must take back the money."

"Stay—stay! I will just consult with one or twe gentlemen, and be with you again almost immediately."

In about five minutes he returned. "Well, Mr. Sharp," he said, "we had, I suppose, better take the money—obtained, as you say, by mistake."

"Not at all; I said nothing about mistake. I told you it ought not to have been received by Andrews!"

"Well—well · I understand. I must, I suppose, give you a receipt?"

"Undoubtedly; and, if you please, precisely in this form."

I handed him a copy on a slip of paper. He ran it over, smiled, transcribed it on a stamp, signed it, and, as I handed him a check for the amount, placed it in my hands. We mutually bowed, and I went my way.

Notwithstanding Mr. Newton's opposition, who was naturally furious at the unexpected turn the affair had taken, the identity of the boy—whom that gentleman persisted in asserting to be dead and buried—was clearly established; and Mr. Archibald Andrews, on the day he became of age, received possession of his fortune. The four thousand pounds had of course been repaid out of Jesse Andrews's legacy. That person has, so to speak, since skulked through life, a mark for the covert scorn of every person acquainted with the very black transaction here recorded. This was doubtless a much better fate than he deserved; and in strict, or poetical justice, his punishment ought unquestionably to have been much greater—more apparent also, than it was, far example's sake. But I am a man not of fiction, but of fact, and consequently relate events, not as they precisely ought, but as they *do*, occasionally occur in lawyers' offices, and other unpoetical nooks and corners of this prosaic, matter-of-fact, working-day world.

Part II.

BIGAMY OR NO BIGAMY?

The firm of Flint and Sharp enjoyed, whether deservedly or not, when I was connected with it, as it still does, a high reputation for keen practice and shrewd business-management. This kind of professional fame is usually far more profitable than the drum-and-trumpet variety of the same article; or at least *we* found it so; and often, from blush of morn to far later than dewy eve—which natural phenomena, by the way, were only emblematically observed by me during thirty busy years in the extinguishment of the street lamps at dawn, and their re-illumination at dusk—did I and my partner incessantly pursue our golden avocations; deferring what are usually esteemed the pleasures of life—its banquets, music, flowers, and lettered ease—till the toil, and heat, and hurry of the day were past, and a calm, luminous evening, unclouded by care or anxiety, had arrived. This conduct may or may not have been wise; but at all events it daily increased the connection and transactions of the firm, and ultimately anchored us both very comfortably in the three per cents; and this too, I am bold to say, not without our having effected some good in our generation. This boast of mine the following passage in the life of a distinguished client—known, I am quite sure, by reputation to most of the readers of these papers, whom our character for practical sagacity and professional shrewdness brought us—will, I think, be admitted in some degree to substantiate.

Our connection was a mercantile rather than an aristocratic one, and my surprise was therefore considerable, when, on looking through the office-blinds to ascertain what vehicle it was that had driven so rapidly up to the door, I observed a handsomely-appointed carriage with a coronet emblazoned on the panels, out of which a tall footman was handing a lady attired in deep but elegant mourning, and closely veiled. I instantly withdrew to my private room, and desired that the lady should be immediately admitted. Greatly was my surprise increased when the graceful and still youthful visitor withdrew her veil, and disclosed the features of the Countess of Seyton, upon whose mild, luminous beauty, as rendered by the engraving from Sir Thomas Lawrence's picture, I had so frequently gazed with admiration. That rare and touching beauty was clouded now; and an intense expression of anxiety, fear—almost terror—gleamed from out the troubled depths of her fine dark eyes.

"The Countess of Seyton!" I half-involuntarily exclaimed, as with my very best bow I handed her ladyship a chair.

"Yes; and you are a partner of this celebrated firm, are you not?"

I bowed again still more profoundly to this compliment, and modestly admitted that I was the Sharp of the firm her ladyship was pleased to entitle "celebrated."

"Then, Mr. Sharp, I have to consult you professionally upon a matter of the utmost—the most vital importance to me and mine." Her ladyship then, with some confusion of manner, as if she did not know whether what she was doing was in accordance with strict etiquette or not, placed a Bank of England note, by way of retainer, before me. I put it back, explaining what the usage really was, and the countess replaced it in her purse.

"We shall be proud to render your ladyship any assistance in our power," I said; "but I understood the Messrs. Jackson enjoyed the confidence of the house of Seyton?"

"Precisely. They are, so to speak, the hereditary solicitors of the family more than of any individual member of it; and therefore, though highly respectable persons, unfit to advise me in this particular matter. Besides," she added with increasing tremor and hesitation, "to deal with, and if possible foil, the individual by whom I am persecuted, requires an agent of keener sagacity than either of those gentlemen can boast of; sharper, more resolute men; more —— you understand what I mean?"

"Perfectly, madam; and allow me to suggest that it is probable our interview may be a somewhat prolonged one—your ladyship's carriage, which may attract attention, should be at once dismissed. The office of the family solicitors is, you are aware, not far off; and as we could not explain to them the reason which induces your ladyship to honor us with your confidence, it will be as well to avoid any chance of inquiry."

Lady Seyton acquiesced in my suggestion: the carriage was ordered home, and Mr. Flint entering just at the time, we both listened with earnestness and anxiety to her communication. It is needless to repeat verbatim the somewhat prolix, exclamative narration of the countess; the essential facts were as follows:—

The Countess of Seyton, previous to her first marriage, was Miss Clara Hayley, second daughter of the Reverend John Hayley, the rector of a parish in Devonshire. She married, when only nineteen years of age, a Captain Gosford. Her husband was ten years older than herself, and, as she discovered after marriage, was cursed with a morose and churlish temper

and disposition. Previous to her acquaintance with Gosford, she had been intimate with, almost betrothed to, Mr. Arthur Kingston, a young gentleman connected with the peerage, and at that time heir-apparent to the great expectancies and actual poverty of his father, Sir Arthur Kingston. The haughty baronet, the instant he was made aware of the nature of his son's intimacy with the rector's daughter, packed the young man off to the continent on his travels. The Reverend John Hayley and his beautiful Clara were as proud as the baronet, and extremely indignant that it should be thought either of them wished to entrap or delude Arthur Kingston into an unequal or ineligible marriage. This feeling of pride and resentment aided the success of Mr. Gosford's suit, and Clara Hayley, like many other rash, high-notioned young ladies, doomed herself to misery, in order to show the world, and Mr. Arthur Kingston and his proud father especially, that she had a spirit. The union was a most unhappy one. One child only, which died in its infancy, was born to them; and after being united somewhat more than two years, a separation, vehemently insisted on by the wife's father, took place, and the unhappily-wedded daughter returned to her parent's roof. Mr. Gosford—he had some time before sold out of the army—traveled about the country in search of amusement, and latterly of health, (for his unhappy cankerous temper at last affected and broke down his never very robust physical constitution), accompanied for the twelvemonth preceding his death by a young man belonging to the medical profession, of the name of Chilton. Mr. and Mrs. Gosford had been separated a few days less than three years when the husband died, at the village of Swords in Ireland, and not far distant from Dublin. The intelligence was first conveyed to the widow by a paragraph in the "Freeman's

Journal," a Dublin newspaper; and by the following post a letter arrived from Mr. Chilton, inclosing a ring which the deceased had requested should be sent to his wife, and a note, dictated just previous to his death-hour, in which he expressed regret for the past, and admitted that he alone had been to blame for the unhappy separation. A copy of his will, made nearly a twelvemonth previously, was also forwarded, by which he bequeathed his property, amounting to about three hundred pounds per annum, to a distant relative then residing in New Holland. By a memorandum of a subsequent date, Mr. Chilton was to have all the money and other personals he might die in *actual* possession of, after defraying the necessary funeral expenses. This will, Mr. Chilton stated, the deceased gentleman had expressed a wish in his last moments to alter, but death had been too sudden for him to be able to give effect to that good, but too long-delayed intention.

It cannot be supposed that the long-before practically widowed wife grieved much at the final breaking of the chain which bound her to so ungenial a mate; but as Lady Seyton was entirely silent upon the subject, our supposition can only rest upon the fact, that Arthur Kingston—who had some time previously, in consequence of the death of the Earl of Seyton and his only son, an always-weakly child, preceded a few months by that of his own father, the baronet, succeeded to the earldom and estates—hastened home, on seeing the announcement of Gosford's death in the Dublin paper, from the continent, where he had continued to reside since his compelled-departure six years before; and soon afterwards found his way into Devonshire, and so successfully pressed the renewed offer of his hand, that the wedding took place slightly within six months after the decease of Mr. Gosford. Life passed bril-

liantly and happily with the earl and countess—to whom three children (a boy and two girls) were born—till about five months previous to the present time, when the earl, from being caught, when out riding, in a drenching shower of rain, was attacked by fever, and after an acute illness of only two or three days' duration, expired. The present earl was at the time just turned of five years of age.

This blow, we comprehended from the sudden tears which filled the beautiful eyes of the countess as she spoke of the earl's decease, was a severe one. Still, the grief of widowhood must have been greatly assuaged by love for her children, and not inconsiderably, after a while, we may be sure, by the brilliant position in which she was left—as, in addition to being splendidly jointured, she was appointed by her husband's will sole guardian of the young lord, her son.

A terrible reverse awaited her. She was sitting with her father the rector, and her still unmarried sister, Jane Hayley, in the drawing-room of Seyton House, when a note was brought to her, signed Edward Chilton, the writer of which demanded an immediate and private interview, on, he alleged, the most important business. Lady Seyton remembered the name, and immediately acceded to the man's request. He announced in a brusque, insolent tone and manner, that Mr. Gosford had not died at the time his death was announced to her, having then only fallen into a state of syncope, from which he had unexpectedly recovered, and had lived six months longer. "The truth is," added Chilton, "that, chancing the other day to be looking over a 'peerage,' I noticed for the first time the date of your marriage with the late Earl of Seyton, and I have now to inform you that it took place precisely eight days previous to Mr. Gosford's death; that it was consequently no marriage at

all; and that your son is no more Earl of Seyton than I am."

This dreadful announcement, as one might expect, completely overcame the countess. She fainted, but not till she had heard and comprehended Chilton's hurried injunctions to secrecy and silence. He rang the bell for assistance, and then left the house. The mental agony of Lady Seyton on recovering consciousness was terrible, and she with great difficulty succeeded in concealing its cause from her anxious and wondering relatives. Another interview with Chilton appeared to confirm the truth of his story beyond doubt or question. He produced a formally-drawn-up document, signed by one Pierce Cunningham, grave-digger of Swords, which set forth that Charles Gosford was buried on the 26th of June, 1832, and that the inscription on his tombstone set forth that he had died June 23d of that year. Also a written averment of Patrick Mullins of Dublin, that he had lettered the stone at the head of the grave of Charles Gosford in Swords burying-ground in 1832, and that its date was, as stated by Pierce Cunningham, June 23, 1832.

"Have you copies of those documents?" asked Mr. Flint.

"Yes: I have brought them with me," the countess replied, and handed them to Mr. Flint. "In my terror and extremity," continued her ladyship, "and unguided by counsel—for, till now I have not dared to speak upon the subject to any person—I have given this Chilton, at various times, large sums of money—but he is insatiable; and only yesterday —— I cannot repeat his audacious proposal—you will find it in this note."

"Marriage!" exclaimed Mr. Flint with a burst. He had read the note over my shoulder. "The scoundrel!"

My worthy partner was rather excited. The truth was, he had a Clara of his own at home—a dead sister's child—very pretty, just about marriageable, and a good deal resembling, as he told me afterwards, our new and interesting client.

"I would die a thousand deaths rather," resumed Lady Seyton, in a low, tremulous voice, as she let fall her veil. "Can there," she added in a still fainter voice, "be anything done—anything"——

"That depends entirely," interrupted Mr. Flint, "upon whether this fine story is or is not a fabrication, got up for the purpose of extorting money. It seems to me, I must say, amazingly like one."

"Do you really think so?" exclaimed the lady with joyful vehemence. The notion that Chilton was perhaps imposing on her credulity and fears seemed not to have struck her before.

"What do you think, Sharp?" said my partner.

I hesitated to give an opinion, as I did not share in the hope entertained by Flint. Detection was so certain, that I doubted if so cunning a person as Chilton appeared to be would have ventured on a fraud so severely punishable. "Suppose," I said, avoiding an answer, "as this note appoints an interview at three o'clock to-day at Seyton House, we meet him there instead of your ladyship? A little talk with the fellow might be serviceable."

Lady Seyton eagerly agreed to this proposal; and it was arranged that we should be at Seyton House half an hour before the appointed time, in readiness for the gentleman. Lady Seyton left in a hackney-coach, somewhat relieved, I thought, by having confided the oppressive secret to us, and with a nascent hope slightly flushing her pale, dejected countenance.

The firm of Flint and Sharp had then a long conference together, during which the lady's statement and Mr. Chilton's documents were, the reader may be sure, very minutely conned over, analyzed, and commented upon. Finally, it was resolved that, if the approaching interview, the manner of which we agreed upon, did not prove satisfactory, Mr. Flint should immediately proceed to Ireland, and personally ascertain the truth or falsehood of the facts alleged by Chilton.

"Mr. Chilton is announced," said Lady Seyton, hurriedly entering the library in Grosvenor Square, where Mr. Flint and myself were seated. "I need not be present, I think you said?" she added, in great tremor.

"Certainly not, madam," I replied. "We shall do better alone."

She retired instantly. Flint rose and stationed himself close by the door. Presently a sounding, confident step was heard along the passage, the library door swung back on its noiseless hinges, and in stalked a man of apparently about thirty-five years of age, tall, genteel, and soldier-looking. He started back on seeing me, recognizing, I perceived, my vocation, at a glance.

"How is this?" he exclaimed. "I expected"——

"The Countess of Seyton. True; but her ladyship has deputed me to confer with you on the business mentioned in your note."

"I shall have nothing to say to you," he replied abruptly, and turned to leave the room. Mr. Flint had shut, and was standing with his back to the door.

"You can't go," he said, in his coolest manner. "The police are within call."

"The police! What the devil do you mean?" cried Chil-

ton, angrily; but, spite of his assurance, visibly trembling beneath Flint's searching, half-sneering look.

"Nothing very remarkable," replied that gentleman, "or unusual in our profession. Come, sit down; we are lawyers; you are a man of business, we know. I dare say we shall soon understand each other."

Mr. Chilton sat down, and moodily awaited what was next to come.

"You are aware," said Mr. Flint, "that you have rendered yourself liable to transportation?"

"What!" exclaimed Chilton, flashing crimson, and starting to his feet. "What!"

"To transportation," continued my imperturbable partner, "for seven, ten, fourteen years, or for life, at the discretion of the, judge; but, considering the frequency of the crime of late, I should say there is a strong probability that *you* will be a *lifer!*"

"What devil's gibberish is this?" exclaimed Chilton, frightened, but still fierce. "I can prove everything I have said. Mr. Gosford, I tell you"——

"Well, well," interrupted Mr. Flint; "put it in that light, how you please; turn it which way you will; it's like the key in Blue Beard, which, I dare say, you have read of; rub it out on one side, and up it comes on the other. Say, by way of argument, that you have *not* obtained money by unfounded threats—a crime which the law holds tantamount to highway robbery. You have in that case obtained money for compromising a felony—that of polygamy. An awful position, my good sir, choose which you will."

Utterly chop-fallen was the lately triumphant man; but he speedily rallied.

"I care not," he at length said. "Punish me you may; but the pride of this sham countess and the sham earl will be brought low. And I tell you once for all," he added, rising at the same time, and speaking in ringing, wrathful tones, "that I defy you, and will either be handsomely remunerated for silence, or I will at once inform the Honorable James Kingston that he is the true Earl of Seyton."

"And I tell *you*," retorted Flint, "that if you attempt to leave this room, I will give you into custody at once, and transport you, whatever may be the consequence to others. Come, come, let us have no more nonsense or bluster. We have strong reasons for believing that the story by which you have been extorting money, is a fabrication. If it be so, rely upon it we shall detect and punish you. Your only safe course is to make a clean breast of it whilst there is yet time. Out with it, man, at once, and you shall go Scot-free; nay, have a few score pounds more—say a hundred. Be wise in time, I counsel you."

Chilton hesitated; his white lips quivered. There *was* something to reveal.

"I cannot," he muttered, after a considerable pause. "There is nothing to disclose."

"You will not! Then your fate be on your own head. I have done with you."

It was now my turn. "Come, come," I said, "it is useless urging this man further. How much do you expect? The insolent proposal contained in your note is, you well know, out of the question. How much *money* do you expect for keeping this wretched affair secret? State your terms at once."

"A thousand per annum," was the reply, "and the first year down."

"Modest, upon my word! But I suppose we must comply." I wrote out an agreement. "Will you sign this?"

He ran it over. "Yes; Lady Seyton, as she calls herself, will take care it never sees the light."

I withdrew, and in two or three minutes returned with a check. "Her ladyship has no present cash at the bankers," I said, "and is obliged to post-date this check twelve days."

The rascal grumbled a good deal; but as there was no help for it, he took the security, signed the agreement, and walked off.

"A sweet nut that for the devil to crack," observed Mr. Flint, looking savagely after him. "I am in hopes we shall trounce him yet, bravely as he carries it. The check of course is not payable to order or bearer?"

"Certainly not; and before twelve days are past, you will have returned from Ireland. The agreement may be, I thought, of use with Cunningham or Mullins. If they have been conspiring together, they will scarcely admire the light in which you can place the arrangement, as affording proof that he means to keep the lion's share of the reward to himself."

"Exactly. At all events we shall get at the truth, whatever it be."

The same evening Mr. Flint started for Dublin *viâ* Holyhead.

I received in due course a letter from him dated the day after his arrival there. It was anything but a satisfactory one. The date on the grave-stone had been truly represented, and Mullins who erected it was a highly respectable man. Flint had also seen the grave-digger, but could make nothing out of him. There was no regular register of deaths kept in Swords except that belonging to Cunningham; and the minister who buried Gosford, and who lived at that time in Dublin, had been dead some time. This was disheartening and melancholy

enough; and, as if to give our unfortunate client the *coup-de-grace*, Mr. Jackson, junior, marched into the office just after I had read it, to say that, having been referred by Lady Seyton to us for explanations, with respect to a statement made by a Mr. Edward Chilton to the Honorable James Kingston, for whom they, the Messrs. Jackson, were now acting, by which it appeared that the said Honorable James Kingston was, in fact, the true Earl of Seyton, he, Mr. Jackson, junior, would be happy to hear what I had to say upon the subject! It needed but this. Chilton had, as I feared he would, after finding we had been consulted, sold his secret, doubtless advantageously, to the heir-at-law. There was still, however, a chance that something favorable might turn up, and, as I had no notion of throwing that chance away, I carelessly replied that we had reason to believe Chilton's story was a malicious fabrication, and that we should of course throw on them the onus of judicial proof that Gosford was still alive when the late earl's marriage was solemnized. Finally, however, to please Mr. Jackson, who professed to be very anxious, for the lady's sake, to avoid unnecessary éclat, and to arrange the affair as quietly as possible, I agreed to meet him at Lady Seyton's in four days from that time, and hear the evidence upon which he relied. This could not at all events render our position worse; and it was, meanwhile, agreed that the matter should be kept as far as possible profoundly secret.

Three days passed without any further tidings from Mr. Flint, and I vehemently feared that his journey had proved a fruitless one, when, on the evening previous to the day appointed for the conference at Seyton House, a hackney-coach drove rapidly up to the office door, and out popped Mr. Flint, followed by two strangers, whom he very watchfully escorted into the house.

"Mr. Patrick Mullins and Mr Pierce Cunningham," said Flint as he shook hands with me in a way which, in conjunction with the merry sparkle of his eyes, and the boisterous tone of his voice, assured me all was right. "Mr. Pierce Cunningham will sleep here to-night," he added; "so Collins had better engage a bed out."

Cunningham, an ill-looking lout of a fellow, muttered, that he chose "to sleep at a tavern."

"Not if I know it, my fine fellow," rejoined Mr. Flint. "You mean well, I dare say; but I cannot lose sight of you for all that. You either sleep here or at a station-house."

The man stared with surprise and alarm; but knowing refusal or resistance to be hopeless, sullenly assented to the arrangement, and withdrew to the room appointed for him, vigilantly guarded. For Mr. Mullins we engaged a bed at a neighboring tavern.

Mr. Flint's mission had been skillfully and successfully accomplished. He was convinced, by the sullen confusion of manner manifested by Cunningham, that some villainous agency had been at work, and he again waited on Mullins, the stone-cutter. "Who gave you the order for the grave-stone?" he asked. Mr. Mullins referred to his book, and answered that he received it by letter. "Had he got that letter?" "Very likely," he replied, "as he seldom destroyed business papers of any kind." "A search was instituted, and finally this letter," said Mr. Flint, "worth an earl's coronet, torn and dirty as it is, turned up." This invaluable document, which bore the London postdate of June 23, 1832, ran as follows:—

"Anglesea Hotel, Haymarket, London, *June* 23, 1832.

"Sir—Please to erect a plain tomb-stone at the head of

Charles Gosford, Esquire's grave, who died a few month's since at Swords, aged thirty-two years. This is all that need be inscribed upon it. You are referred to Mr. Guinness of Sackville Street, Dublin, for payment. Your obedient servant,

"EDWARD CHILTON."

"You see," continued Flint, "the fellow had inadvertently left out the date of Gosford's death, merely stating it occurred a few months previously; and Mullins concluded that, in entering the order in his day-book, he must have somehow or other confounded the date of the letter with that of Gosford's decease. Armed with this precious discovery, I again sought Cunningham, and by dint of promises and threats, at last got the truth out of the rascal. It was this:—Chilton, who returned to this country from the Cape, where he had resided for three years previously, about two months ago, having some business to settle in Dublin, went over there, and one day visited Swords, read the inscription on Charles Gosford's grave-stone, and immediately sought out the grave-digger, and asked him if he had any record of that gentleman's burial. Cunningham said he had, and produced his book, by which it appeared that it took place December 24, 1831. "That cannot be," remarked Chilton, and he referred to the head-stone. Cunningham said he had noticed the mistake a few days after it was erected; but thinking it of no consequence, and never having, that he knew of, seen Mr. Mullins since, he had said, and indeed thought, nothing about it. To conclude the story—Chilton ultimately, by payment of ten pounds down, and liberal promises for the future, prevailed upon the grave-digger to lend himself to the infamous device the sight of the grave-stone had suggested to his fertile, unscrupulous brain."

This was indeed a glorious success, and the firm of Flint and Sharp drank the Countess of Seyton's health that evening with great enthusiasm, and gleefully "thought of the morrow."

We found the drawing-room of Seyton House occupied by the Honorable James Kingston, his solicitors, the Messrs. Jackson, Lady Seyton, and her father and sister, to whom she had at length disclosed the source of her disquietude. The children were leaving the apartment as we entered it, and the grief-dimmed eyes of the countess rested sadly upon her bright-eyed boy as he slowly withdrew with his sisters. That look changed to one of wild surprise as it encountered Mr. Flint's shining, good-humored countenance. I was more composed and reserved than my partner, though feeling as vividly as he did the satisfaction of being able not only to dispel Lady Seyton's anguish, but to extinguish the exultation, and trample on the hopes, of the Honorable James Kingston, a stiff, grave, middle-aged piece of hypocritical propriety, who was surveying from out the corners of his affectedly-unobservant eyes the furniture and decorations of the splendid apartment, and hugging himself with the thought that all that was his! Business was immediately proceeded with. Chilton was called in. He repeated his former story *verbatim*, and with much fluency and confidence. He then placed in the hands of Jackson, senior, the vouchers signed by Cunningham and Mullins. The transient light faded from Lady Seyton's countenance as she turned despairingly, almost accusingly, towards us.

"What answer have you to make to this gentleman's statement, thus corroborated?" demanded Jackson, senior.

"Quite a remarkable one," replied Mr. Flint, as he rang the bell. "Desire the gentlemen in the library to step up," he added to the footman who answered the summons. In about

three minutes in marched Cunningham and Mullins, followed by two police-officers. An irrepressible exclamation of terror escaped Chilton, which was immediately echoed by Mr. Flint's direction to the police, as he pointed towards the trembling caitiff: "That is your man—secure him."

A storm of exclamations, questions, remonstrances, instantly broke forth, and it was several minutes before attention could be obtained for the statements of our two Irish witnesses and the reading of the happily-found letter. The effect of the evidence adduced was decisive, electrical. Lady Seyton, as its full significance flashed upon her, screamed with convulsive joy, and I thought must have fainted from excess of emotion. The Rev. John Hayley returned audible thanks to God in a voice quivering with rapture, and Miss Hayley ran out of the apartment, and presently returned with the children, who were immediately half-smothered with their mother's ecstatic kisses. All was for a few minutes bewilderment, joy, rapture! Flint persisted to his dying day, that Lady Seyton threw her arms round his neck, and kissed his bald old forehead. This, however, I cannot personally vouch for, as my attention was engaged at the moment by the adverse claimant, the Honorable James Kingston, who exhibited one of the most irresistibly comic, wo-begone, lackadaisical aspects it is possible to conceive. He made a hurried and most undignified exit, and was immediately followed by the discomfited "family" solicitors. Chilton was conveyed to a station-house, and the next day was fully committed for trial. He was convicted at the next sessions, and sentenced to seven years' transportation; and the "celebrated" firm of Flint and Sharp, derived considerable lustre, and more profit, from this successful stroke of professional dexterity.

Part III.

JANE ECCLES.

The criminal business of the office was, during the first three or four years of our partnership, entirely superintended by Mr. Flint; he being more *au fait*, from early practice, than myself, in the art and mystery of prosecuting and defending felons, and I was thus happily relieved of duties which, in the days when George III. was king, were frequently very oppressive and revolting. The criminal practitioner dwelt in an atmosphere tainted alike with cruelty and crime, and pulsating alternately with merciless decrees of death, and the shrieks and wailings of sentenced guilt. And not always guilt! There exist many records of proofs, incontestable, but obtained too late, of innocence having been legally strangled on the gallows in other cases than that of Eliza Fenning. How could it be otherwise with a criminal code crowded in every line with penalties of death, nothing but—death? Juster, wiser times have dawned upon us, in which truer notions prevail of what man owes to man, even when sitting in judgment on transgressors; and this we owe, let us not forget, to the exertions of a band of men who, undeterred by the sneers of the reputedly wise and *practical* men of the world, and the taunts of "influential" newspapers, persisted in teaching that the rights of property could be more firmly cemented than by the shedding of blood—law, justice, personal security more effectually vindicated than by the gallows. Let me confess that I also was, for many years,

amongst the mockers, and sincerely held such "theorists" and "dreamers" as Sir Samuel Romilly and his fellow-workers in utter contempt. Not so my partner, Mr. Flint. Constantly in the presence of criminal judges and juries, he had less confidence in the unerring verity of their decisions than persons less familiar with them, or who see them only through the medium of newspapers. Nothing could exceed his distress of mind if, in cases in which he was prosecuting attorney, a convict died persisting in his innocence, or without a full confession of guilt. And to such a pitch did this morbidly-sensitive feeling at length arrive, that he all at once refused to undertake, or in any way meddle with, criminal prosecutions, and they were consequently turned over to our head clerk, with occasional assistance from me if there happened to be a press of business of the sort. Mr. Flint still, however, retained a monopoly of the *defences*, except when, from some temporary cause or other, he happened to be otherwise engaged, when they fell to me. One of these I am about to relate, the result of which, whatever other impression it produced, thoroughly cured me—as it may the reader —of any propensity to sneer or laugh at criminal-law reformers and denouncers of the gallows.

One forenoon, during the absence of Mr. Flint in Wiltshire, a Mrs. Margaret Davies called at the office, in apparently great distress of mind. This lady, I must premise, was an old, or at all events an elderly maiden, of some four-and-forty years of age—I have heard a very intimate female friend of hers say she would never see fifty again, but this was spite—and possessed of considerable house property in rather poor localities. She found abundant employment for energies which might otherwise have turned to cards and scandal, in collecting her weekly, monthly, and quarterly rents, and in promoting, or

fancying she did, the religious and moral welfare of her tenants. Very bare-faced, I well knew, were the impositions practiced upon her credulous good-nature in money matters, and I strongly suspected the spiritual and moral promises and performances of her motley tenantry exhibited as much discrepancy as those pertaining to rent. Still, deceived or cheated as she might be, good Mrs. Davies never wearied in what she conceived to be well-doing, and was ever ready to pour balm and oil into the wounds of the sufferer, however self-inflicted or deserved.

"What is the matter now?" I asked as soon as the good lady was seated, and had untied and loosened her bonnet, and thrown back her shawl, fast walking having heated her prodigiously. "Nothing worse than transportation is, I hope, likely to befall any of those interesting clients of yours?"

"You are a hard-hearted man, Mr. Sharp," replied Mrs. Davies between a smile and a cry; "but being a lawyer, that is of course natural, and, as I am not here to consult you as a Christian, of no consequence."

"Complimentary, Mrs. Davies; but pray, go on."

"You know Jane Eccles, one of my tenants in Bank Buildings—the embroidress who adopted her sister's orphan child?"

"I remember her name. She obtained, if I recollect rightly, a balance of wages for her due to the child's father, a mate, who died at sea. Well, what has befallen her?"

"A terrible accusation has been preferred against her," rejoined Mrs. Davies; "but as for a moment believing it, that is quite out of the question. Jane Eccles," continued the warm-hearted lady, at the same time extracting a crumpled newspaper from the miscellaneous contents of her reticule—"Jane Eccles works hard from morning till night, keeps herself to herself; her little nephew and her rooms are always as clean and nice as

a new pin; she attends church regularly; and pays her rent punctually to the day. This disgraceful story, therefore," she added, placing the journal in my hands, "*cannot* be true."

I glanced over the police news:—'Uttering forged Bank-of-England notes, knowing them to be forged;' I exclaimed, "The devil!"

"There's no occasion to be spurting that name out so loudly, Mr. Sharp," said Mrs. Davies with some asperity, "especially in a lawyer's office. People have been wrongfully accused before to-day, I suppose?"

I was intent on the report, and not answering, she continued, "I heard nothing of it till I read the shameful account in the paper half an hour agone. The poor slandered girl was, I dare say, afraid or ashamed to send for me."

"This appears to be a very bad case, Mrs. Davies," I said at length. "Three forged ten-pound notes changed in one day at different shops each time, under the pretence of purchasing articles of small amount, and another ten-pound note found in her pocket! All that has, I must say, a very ugly look."

"I don't care," exclaimed Mrs. Davies quite fiercely, "if it looks as ugly as sin, or if the whole Bank of England was found in her pocket! I know Jane Eccles well; she nursed me last spring through the fever; and I would be upon my oath that the whole story, from beginning to end, is an invention of the devil, or something worse."

"Jane Eccles," I persisted, "appears to have been unable or unwilling to give the slightest explanation as to how she became possessed of the spurious notes. Who is this brother of hers, 'of such highly respectable appearance,' according to the report, who was permitted a private interview with her previous to the examination?"

"She has no brother that I have ever heard of," said Mrs. Davies. "It must be a mistake of the papers."

"That is not likely. You observed of course that she was fully committed—and no wonder!"

Mrs. Davies's faith in the young woman's integrity was not to be shaken by any evidence save that of her own bodily eyes, nd I agreed to see Jane Eccles on the morrow, and make the best arrangements for the defence—at Mrs. Davies' charge—which the circumstances and the short time I should have for preparation—the Old Bailey session would be on in a few days—permitted. The matter so far settled, Mrs. Margaret hurried off to see what had become of little Henry, the prisoner's nephew.

I visited Jane Eccles the next day in Newgate. She was a well-grown young woman of about two or three-and-twenty—not exactly pretty perhaps, but very well-looking. Her brown hair was plainly worn, without a cap, and the expression of her face was, I thought, one of sweetness and humility, contradicted in some degree by rather harsh lines about the mouth, denoting strong will and purpose. As a proof of the existence of this last characteristic, I may here mention that, when her first overweening confidence had yielded to doubt, she, although dotingly fond of her nephew, at this time about eight years of age, firmly refused to see him, "in order," she once said to me—and the thought brought a deadly pallor to her face—"in order that, should the worst befall, her memory might not be involuntarily connected in his mind with images of dungeons, and disgrace, and shame. Jane Eccles had received what is called in the country, "a good schooling," and the books Mrs. Davies had lent her she had eagerly perused. She was therefore to a certain extent a cultivated person; and her speech

and manners were mild, gentle, and, so to speak, religious. I generally found, when I visited her, a Bible or prayer-book in her hand. This, however, from my experience, comparatively slight though it was, did not much impress me in her favor—devotional sentiment so easily, for a brief time, assumed, being in nine such cases out of ten a hypocritical deceit. Still she, upon the whole, made a decidedly favorable impression on me, and I no longer so much wondered at the bigotry of unbelief manifested by Mrs. Davies in behalf of her apparently amiable and grateful protégée.

But beyond the moral doubt thus suggested of the prisoner's guilt, my interviews with her utterly failed to extract anything from her in rebutment of the charge upon which she was about to be arraigned. At first she persisted in asserting that the prosecution was based upon manifest error; that the impounded notes, instead of being forged, were genuine Bank-of-England paper. It was some time before I succeeded in convincing her that this hope, to which she so eagerly, desperately clung, was a fallacious one. I did so at last; and either, thought I, as I marked her varying color and faltering voice, "either you are a consummate actress, or else the victim of some frightful delusion or conspiracy."

"I will see you, if you please, to-morrow," she said, looking up from the chair upon which, with her head bowed and her face covered with her hands, she had been seated for several minutes in silence. "My thoughts are confused now, but to-morrow I shall be more composed; better able to decide if—— to talk, I mean, of this unhappy business."

I thought it better to comply without remonstrance, and at once took my leave.

When I returned the next afternoon, the governor of the

prison informed me that the brother of my client, James Eccles, quite a dashing gentleman, had had a long interview with her. He had left about two hours before, with the intention, he said, of calling upon me.

I was conducted to the room where my conferences with the prisoner usually took place. In a few minutes she appeared, much flushed and excited, it seemed to be alternately with trembling joy and hope, and doubt, and nervous fear.

"Well," I said, "I trust you are now ready to give me your unreserved confidence, without which, be assured, that any reasonable hope of a successful issue from the peril in which you are involved is out of the question."

The varying emotions I have noticed were clearly traceable as they swept over her tell-tale countenance during the minute or so that elapsed before she spoke.

"Tell me candidly, sir," she said at last, "whether, if I owned to you that the notes were given to me by a—a person, whom I cannot, if I would, produce, to purchase various articles at different shops, and return him—the person I mean—the change; and that I made oath this was done by me in all innocence of heart, as the God of heaven and earth truly knows it was, it would avail me?"

"Not in the least," I replied, angry at such trifling. "How can you ask such a question? We must *find* the person who, you intimate, has deceived you, and placed your life in peril; and if that can be proved, hang him instead of you. I speak plainly, Miss Eccles," I added in a milder tone; "perhaps you may think unfeelingly, but there is no further time for playing with this dangerous matter. To-morrow a true bill will be found against you, and your trial may then come on immediately. If you are careless for yourself, you ought to

have some thought for the sufferings of your excellent friend, Mrs. Davies; for your nephew, soon perhaps to be left friendless and destitute."

"Oh spare me—spare me!" sobbed the unhappy young woman, sinking nervelessly into a seat. "Have pity upon me, wretched, bewildered as I am!" Tears relieved her, and after awhile, she said, "It is useless, sir, to prolong this interview. I could not, I solemnly assure you, if I would, tell you where to search for or find the person of whom I spoke. And," she added, whilst the lines about her mouth of which I have spoken, grew distinct and rigid, "I would not if I could. What indeed would it, as I have been told and believe, avail, but to cause the death of two deceived innocent persons instead of one? Besides," she continued, trying to speak with firmness, and repress the shudder which crept over and shook her as with ague —"besides, whatever the verdict, the penalty will not, cannot, I am sure, I know, be—be"——

I understood her plainly enough, although her resolution failed to sustain her through the sentence.

"Who is this brother—James Eccles, he calls himself—whom you saw at the police-office, and who has twice been here, I understand—once to-day?"

A quick start revealed the emotion with which she heard the question, and her dilated eyes rested upon me for a moment with eager scrutiny. She speedily recovered her presence of mind, and with her eyes again fixed on the floor, said in a quivering voice, "My brother! Yes—as you say—my brother."

"Mrs. Davies says you have no brother!" I sharply rejoined.

"Good Mrs. Davies," she replied in a tone scarcely above a

whisper, and without raising her head, "does not know all our family."

A subterfuge was, I was confident, concealed in these words; but after again and again urging her to confide in me, and finding warning and persuasion alike useless, I withdrew, discomfited and angry, and withal as much concerned and grieved as baffled and indignant. On going out, I arranged with the governor that the "brother," if he again made his appearance, should be detained, *bongré malgré*, till my arrival. Our precaution was too late—he did not reappear; and so little notice had any one taken of his person, that to advertise a description of him with a reward for his apprehension was hopeless.

A true bill was found, and two hours afterwards Jane Eccles was placed in the dock. The trial did not last more than twenty minutes, at the end of which, an unhesitating verdict of guilty was returned, and she was duly sentenced to be hanged by the neck till she was dead. We had retained the ablest counsel practicing in the court, but, with no tangible defence, their efforts were merely thrown away. Upon being asked what she had to say why the sentence of the law should not be carried into effect? she repeated her previous statement—that the notes had been given her to change by a person in whom she reposed the utmost confidence; and that she had not the slightest thought of evil or fraud in what she did. That person, however, she repeated once more, could not be produced. Her assertions only excited a derisive smile; and all necessary forms having been gone through, she was removed from the bar.

The unhappy woman bore the ordeal through which she had just passed with much firmness. Once only, whilst sentence was being passed, her high-strung resolution appeared to falter and give way. I was watching her intently, and I observed

that she suddenly directed a piercing look towards a distant part of the crowded court. In a moment her eye lightened, the expression of extreme horror which had momently darkened her countenance passed away, and her partial composure returned. I had instinctively, as it were, followed her glance, and thought I detected a tall man enveloped in a cloak engaged in dumb momentary communication with her. I jumped up from my seat, and hastened as quickly as I could through the thronged passages to the spot, and looked eagerly around, but the man, whosoever he might be, was gone.

The next act in this sad drama was the decision of the Privy Council upon the recorder's report. It came. Several were reprieved, but amongst them was *not* Jane Eccles. She and nine others were to perish at eight o'clock on the following morning.

The anxiety and worry inseparable from this most unhappy affair, which, from Mr. Flint's protracted absence, I had exclusively to bear, fairly knocked me up, and on the evening of the day on which the decision of the Council was received, I went to bed much earlier than usual, and really ill. Sleep I could not, and I was tossing restlessly about, vainly endeavoring to banish from my mind the gloomy and terrible images connected with the wretched girl and her swiftly-coming fate, when a quick tap sounded on the door, and a servant's voice announced that one of the clerks had brought a letter which the superscription directed to be read without a moment's delay. I sprang out of bed, snatched the letter, and eagerly ran it over. It was from the Newgate chaplain, a very worthy, humane gentleman, and stated that, on hearing the result of the deliberations of the Privy Council, all the previous stoicism and fortitude exhibited by Jane Eccles had completely given way,

and she had abandoned herself to the wildest terror and despair. As soon as she could speak coherently, she implored the governor with frantic earnestness to send for me. As this was not only quite useless in the opinion of that official, but against the rules, the prisoner's request was not complied with. The chaplain, however, thinking it might be as well that I should know of her desire to see me, had of his own accord sent me this note. He thought that possibly the sheriffs would permit me to have a brief interview with the condemned prisoner in the morning, if I arrived sufficiently early; and although it could avail nothing as regarded her fate in this world, still it might perhaps calm the frightful tumult of emotion by which she was at present tossed and shaken, and enable her to meet the inevitable hour with fortitude and resignation.

It was useless to return to bed after receiving such a communication, and I forthwith dressed myself, determined to sit up and read, if I could, till the hour at which I might hope to be admitted to the jail, should strike. Slowly and heavily the dark night limped away, and as the first rays of the cold wintry dawn reached the earth, I sallied forth. A dense, brutal crowd were already assembled in front of the prison, and hundreds of well-dressed sight-seers occupied the opposite windows, morbidly eager for the rising of the curtain upon the mournful tragedy about to be enacted. I obtained admission without much difficulty, but, till the arrival of the sheriffs, no conference with the condemned prisoners could be possibly permitted. Those important functionaries happened on this morning to arrive unusually late, and I paced up and down the paved corridor in a fever of impatience and anxiety. They were at last announced, but before I could, in the hurry and confusion, obtain speech of either of them, the dismal bell tolled out, and I felt with a

shudder that it was no longer possible to effect my object "Perhaps it is better so," observed the reverend chaplain, in a whisper. "She has been more composed for the last two or three hours, and is now, I trust, in a better frame of mind for death." I turned, sick at heart, to leave the place, and in my agitation missing the right way, came directly in view of the terrible procession. Jane Eccles saw me, and a terrific scream, followed by frantic heart-rending appeals to me to save her, burst with convulsive effort from her white quivering lips. Never will the horror of that moment pass from my remembrance. I staggered back, as if every spasmodic word struck me like a blow; and then, directed by one of the turnkeys, sped in an opposite direction as fast as my trembling limbs could carry me—the shrieks of the wretched victim, the tolling of the dreadful bell, and the obscene jeers and mocks of the foul crowd through which I had to force my way, evoking a confused tumult of disgust and horror in my brain, which, if long continued, would have driven me mad. On reaching home, I was bled freely, and got to bed. This treatment, I have no doubt, prevented a violent access of fever; for, as it was, several days passed before I could be safely permitted to re-engage in business.

On revisiting the office, a fragment of a letter written by Jane Eccles a few hours previous to her death, and evidently addressed to Mrs. Davies, was placed by Mr. Flint, who had by this time returned, before me. The following is an exact copy of it, with the exception that the intervals which I have marked with dots, ... were filled with erasures and blots, and that every word seemed to have been traced by a hand smitten with palsy :—

"From my Death-place, *Midnight.*

"Dear Madam—No, beloved friend—mother, let me call you . . . . . Oh kind, gentle mother, I am to die . . . . . to be killed in a few hours by cruel men!—I, so young, so unprepared for death, and yet guiltless! Oh never doubt that I am guiltless of the offence for which they will have the heart to hang me. . . . . Nobody, they say, can save me now; yet if I could see the lawyer . . . . . I have been deceived, cruelly deceived, madam—buoyed up by lying hopes, till just now the thunder burst, and I—oh God! . . . . . As they spoke, the fearful chapter in the Testament came bodily before me—the rending of the vail in twain, the terrible darkness, and the opened graves! . . . . . I did not write for this, but my brain aches and dazzles . . . . . It is too late—too late, they all tell me! . . . . . Ah, if these dreadful laws were not so swift, I might yet—but no; *he* clearly proved to me how useless . . . . . I must not think of that . . . . . It is of my nephew, of your Henry, child of my affections, that I would speak. Oh, would that I . . . . . But hark!—they are coming . . . . . The day has dawned . . . . . to me the day of judgment! . . . . . "

This incoherent scrawl only confirmed my previous suspicions, but it was useless to dwell further on the melancholy subject. The great axe had fallen, and whether justly or unjustly, would, I feared, as in many, very many other cases, never be clearly ascertained in this world. I was mistaken. Another case of "uttering forged Bank-of-England notes, knowing them to be forged," which came under our cognizance a few months afterwards, revived the fading memory of Jane Eccles's early doom, and cleared up every obscurity connected with it.

The offender in this new case, was a tall, dark-complexioned,

handsome man, of about thirty years of age, of the name of Justin Arnold. His lady mother, whose real name I shall conceal under that of Barton, retained us for her son's defence, and from her, and other sources, we learned the following particulars :—

Justin Arnold was the lady's son by a former marriage. Mrs. Barton, a still splendid woman, had, in second nuptials, espoused a very wealthy person, and from time to time had covertly supplied Justin Arnold's extravagance. This, however, from the wild course the young man pursued, could not be forever continued, and after many warnings the supplies were stopped. Incapable of reformation, Justin Arnold, in order to obtain the means of dissipation, connected himself with a cleverly-organized band of swindlers and forgers, who so adroitly managed their nefarious business, that, till his capture, they had contrived to keep themselves clear of the law—the inferior tools and dupes having been alone caught in its fatal meshes. The defence, under these circumstances necessarily a difficult, almost impossible one, was undertaken by Mr. Flint, and conducted by him with his accustomed skill and energy.

I took a very slight interest in the matter, and heard very little concerning it till its judicial conclusion by the conviction of the offender, and his condemnation to death. The decision on the recorder's report was this time communicated to the authorities of Newgate on a Saturday, so that the batch ordered for execution, amongst whom was Justin Arnold, would not be hanged till the Monday morning. Rather late in the evening a note once more reached me from the chaplain of the prison. Justin Arnold wished to see me—*me*, not Mr. Flint. He had something of importance to communicate, he said, relative to a person in whom I had once felt great interest. It flashed across

me that this Justin might be the "brother" of Jane Eccles, and I determined to see him. I immediately sought out one of the sheriffs, and obtained an order empowering me to see the prisoner on the afternoon of the morrow, (Sunday).

I found that the convict had expressed great anxiety lest I should decline to see him. My hoped-for visit was the only matter which appeared to occupy the mind or excite the care of the mocking, desperate young man; even the early and shameful termination of his own life on the morrow, he seemed to be utterly reckless of. Thus prepared, I was the less surprised at the scene which awaited me in the prisoner's cell, where I found him in angry altercation with the pale and affrighted chaplain.

I had never seen Justin Arnold before; this I was convinced of the instant I saw him; but he knew and greeted me instantly by name. His swarthy, excited features were flushed and angry; and after briefly thanking me for complying with his wishes, he added in a violent rapid tone, "This good man has been teasing me. He says, and truly, that I have defied God by my life; and now he wishes me to mock that inscrutable Being, on the eve of death, by words without sense, meaning, or truth!"

"No, no, no!" ejaculated the reverend gentleman. "I exhorted you to true repentance, to peace, charity, to"——

"True repentance, peace, charity!" broke in the prisoner, with a scornful burst; "when my heart is full of rage, and bitterness, and despair! Give me *time* for this repentance which you say is so needful—time to lure back long since banished hope, and peace, and faith! Poh!—you but flout me with words without meaning. I am unfit, you say, for the presence of men, but quite fit for that of God, before whom you are

about to arrogantly cast me! Be it so—my deeds are upon my head! It is at least not my fault that I am hurled to judgment before the Eternal Judge himself commanded my presence there!"

"He may be unworthy to live," murmured the scared chaplain, "but oh, how utterly unfit to die!"

"That is true," rejoined Justin Arnold, with undiminished vehemence. "Those, if you will, are words of truth and sense—go you and preach them to the makers and executioners of English law. In the meantime I would speak privately with this gentleman."

The reverend pastor, with a mute gesture of compassion, sorrow, and regret, was about to leave the cell, when he was stayed by the prisoner, who exclaimed, "Now, I think of it, you had better, sir, remain. The statement I am about to make cannot, for the sake of the victim's reputation, and for her friends' sake, have too many witnesses. You both remember Jane Eccles?" A broken exclamation from both of us answered him, and he quickly added—"Ah, you already guess the truth, I see. Well, I do not wonder you should start and turn pale. It *was* a cruel, shameless deed—a dastardly murder if there was ever one. In as few words as possible, so you interrupt me not, I will relate *my* share in the atrocious business." He spoke rapidly, and once or twice during the brief recital, the moistened eye and husky voice betrayed emotions which his pride would have concealed.

"Jane and I were born in Hertfordshire, within a short distance of each other. I knew her from a child. She was better off then, I worse than we subsequently became—she by her father's bankruptcy, I by my mo——, by Mrs. Barton's wealthy marriage. She was about nineteen, I twenty-four, when I left

the country for London. That she loved me with all the fervor of a trusting woman I well knew; and I had, too, for some time known that she must be either honorably wooed or not at all. That with me, was out of the question, and, as I told you, I came about that time to London. You can, I dare say, imagine the rest. We were—I and my friends, I mean—at a loss for agents to dispose of our wares, and at the same time pressed for money. I met Jane Eccles by accident. Genteel, of graceful address and winning manners, she was just fitted for our purpose. I feigned re-awakened love, proffered marriage, and a home across the Atlantic, as soon as certain trifling but troublesome affairs which momently harassed me were arranged. She believed me. I got her to change a considerable number of notes under various pretexts, but that they were forged she had not and could not have the remotest suspicion. You know the catastrophe. After her apprehension I visited this prison as her brother, and buoyed her up to the last with illusions of certain pardon and release, whatever the verdict, through the influence of my wealthy father-in-law, of our immediate union afterwards, and tranquil American home. It is needless to say more. She trusted me, and I sacrificed her; less flagrant instances of a like nature occur every day. And now, gentlemen, I would fain be alone."

"Remorseless villain!" I could not help exclaiming under my breath as he moved away.

He turned quickly back, and looking me in the face, without the slightest anger, said, "An execrable villain if you like—not a remorseless one! Her death alone sits near, and troubles my, to all else, hardened conscience. And let me tell you, reverend sir," he continued, resuming his former bitterness as he adressed the chaplain—"let me tell you that it was not the

solemn words of the judge the other day, but her pale, reproachful image, standing suddenly beside me in the dock, just as she looked when I passed my last deception on her, that caused the tremor and affright, complacently attributed by that grave functionary to his own sepulchral eloquence. After all, her death cannot be exclusively laid to my charge. Those who tried her would not believe her story, and yet it was true as death. Had they not been so confident in their own unerring wisdom, they might have doomed her to some punishment short of the scaffold, and could now have retrieved their error. But I am weary, and would, I repeat, be alone. Farewell!" He threw himself on the rude pallet, and we silently withdrew.

A paper embodying Justin Arnold's declaration was forwarded to the secretary of state, and duly acknowledged, accompanied by an official expression of mild regret that it had not been made in time to save the life of Jane Eccles. No further notice was taken of the matter, and the record of the young woman's judicial sacrifice still doubtless encumbers the archives of the Home Office, forming, with numerous others of like character, the dark, sanguine background upon which the achievements of the great and good men who have so successfully purged the old Draco code that now a faint vestige only of the old barbarism remains, stands out in bright relief and changeless lustre.

Part IV.

"EVERY MAN HIS OWN LAWYER."

A SMARTER trader, a keener appreciator of the tendencies to a rise or fall in colonial produce—sugars more especially—than John Linden, of Mincing Lane, it would have been difficult to point out in the wide city of London. He was not so immensely rich as many others engaged in the same merchant-traffic as himself; nothing at all like it, indeed, for I doubt that he could at any time have been esteemed worth more than from eighty to ninety thousand pounds; but his transactions, although limited in extent when compared with those of the mammoth colonial houses, almost always returned more or less of profit; the result of his remarkable keenness and sagacity in scenting hurricanes, black insurrections, and emancipation bills, whilst yet inappreciable, or deemed afar off, by less sensitive organizations. At least to this wonderful prescience of future sugar-value did Mr. Linden himself attribute his rise in the world, and gradual increase in rotundity, riches, and respectability. This constant success engendered, as it is too apt to do, inordinate egotism, conceit, self-esteem, vanity. There was scarcely a social, governmental, or economical problem which he did not believe himself capable of solving as easily as he could eat his dinner when hungry. "Common-sense business-habits"—his favorite phrase—he believed to be quite sufficient for the elucidation of the most difficult question in law, physic, or divinity. The science of law, especially, he held to be an alphabet which any

man—of common sense and business habits—could as easily master as he could count five on his fingers; and there was no end to his ridicule of the men with horse-hair head-dresses, and their quirks, quiddits, cases, tenures, and such-like devil's lingo. Lawyers, according to him, were a set of thorough humbugs and impostors, who gained their living by false pretence—that of affording advice and counsel, which every sane man could better render himself. He was unmistakably mad upon this subject, and he carried his insane theory into practice. He drew his own leases, examined the titles of some house-property he purchased, and set his hand and seal to the final deeds, guided only by his own common-sense spectacles. Once he bid, at the Auction Mart, as high as fifty-three thousand pounds for the Holmford estate, Herefordshire; and had he not been outbidden by young Palliser, son of the then recently-deceased eminent distiller, who was eager to obtain the property, with a view to a seat in parliament which its possession was said to almost insure —he would, I had not at the time the slightest doubt, have completed the purchase, without for a moment dreaming of submitting the vender's title to the scrutiny of a professional adviser. Mr. Linden, I should mention, had been for some time desirous of resigning his business in Mincing Lane to his son, Thomas Linden, the only child born to him by his long-since deceased wife, and of retiring, an estated squire-arch, to the *otium cum.*, or *sine dignitate*, as the case might be, of a country life; and this disposition had of late been much quickened by daily-increasing apprehensions of negro emancipation and revolutionary interference with differential duties—changes which, in conjunction with others of similar character, would infallibly bring about that utter commercial ruin which Mr. Linden, like every other rich and about-to-retire merchant or

tradesman whom I have ever known, constantly prophesied to be near at hand and inevitable.

With such a gentleman the firm of Flint & Sharp had only professional interviews, when procrastinating or doubtful debtors required that he should put on the screw—a process which, I have no doubt, he would himself have confidently performed, but for the waste of valuable time which doing so would necessarily involve. Both Flint and myself were, however, privately intimate with him—Flint more especially, who had known him from boyhood—and we frequently dined with him on a Sunday at his little box at Fulham. Latterly, we had on these occasions met there a Mrs. Arnold and her daughter Catherine—an apparently amiable, and certainly very pretty and interesting young person—to whom, Mr. Linden confidentially informed us, his son Tom had been for some time engaged.

"I don't know much about her family," observed Mr. Linden one day, in the course of a gossip at the office, "but she moves in very respectable society. Tom met her at the Slades'; but I *do* know she has something like thirty-five thousand pounds in the funds. The instant I was informed how matters stood with the young folk, I, as a matter of common sense and business, asked the mother, Mrs. Arnold, for a reference to her banker or solicitor—there being no doubt that a woman and a minor would be in lawyers' leading-strings—and she referred me to Messrs. Dobson of Chancery Lane. You know the Dobsons?"

"Perfectly,—what was the reply?"

"That Catherine Arnold, when she came of age—it wants but a very short time of that now—would be entitled to the capital of thirty-four thousand seven hundred pounds, bequeathed by an uncle, and now lodged in the funds in the names of the trustees, Crowther & Jenkins, of Leadenhall

Street, by whom the interest on that sum was regularly paid, half-yearly, through the Messrs. Dobson, for the maintenance and education of the heiress. A common-sense, business-like letter in every respect, and extremely satisfactory; and as soon as he pleases, after Catherine Arnold comes of age, and into actual possession of her fortune, Tom may have her, with my blessing over the bargain."

I dined at Laurel Villa, Fulham, about two months after this conversation, and Linden and I found ourselves alone over the dessert—the young people having gone out for a stroll, attracted doubtless by the gay aspect of the Thames, which flows past the miniature grounds attached to the villa. Never had I seen Mr. Linden in so gay, so mirthful a mood.

"Pass the decanter," he exclaimed, the instant the door had closed upon Tom and his *fiancée*. "Pass the decanter, Sharp; I have news for you, my boy, now they are gone."

"Indeed! and what may the news be?"

"Fill a bumper for yourself, and I'll give you a toast. Here's to the health and prosperity of the proprietor of the Holmford estate; and may he live a thousand years, and one over!—Hip—hip—hurra!"

He swallowed his glass of wine, and then, in his intensity of glee, laughed himself purple.

"You needn't stare so," he said, as soon as he had partially recovered breath; "I am the proprietor of the Holmford property—bought it for fifty-six thousand pounds of that young scant-grace and spendthrift, Palliser—fifteen thousand pounds less than what it cost him, with the outlay he has made upon it. Signed, sealed, delivered, paid for yesterday. Ha! ha! ho! Leave John Linden alone for a bargain! It's worth seventy thousand pounds if it's worth a shilling. I say," continued he,

after a renewed spasm of exuberant mirth, "not a word about it to anybody—mind! I promised Palliser, who is quietly packing up to be off to Italy, or Australia, or Constantinople, or the devil—all of them, perhaps, in succession—not to mention a word about it till he was well off—you understand? Ha! ha! —ho! ho!" again burst out Mr. Linden. "I pity the poor creditors though! Bless you! I should'nt have had it at anything like the price, only for his knowing that I was not likely to be running about exposing the affair, by asking lawyers whether an estate in a family's possession, as this was in Dursley's for three hundred years, had a good title or not. So be careful not to drop a word, even to Tom—for my honor's sake. A delicious bargain, and no mistake! Worth, if a penny, seventy thousand pounds. Ha! ha!—ho! ho!"

"Then you have really parted with that enormous sum of money without having had the title to the estate professionally examined?"

"Title! Fiddlestick! I looked over the deeds myself. Besides, haven't I told you the ancestors of Dursley, from whose executors Palliser purchased the estate, were in possession of it for centuries. What better title than prescription can there be?"

"That may be true enough; but still"——

"I ought, you think, to have risked losing the bargain by delay, and have squandered time and money upon fellows in horse-hair wigs, in order to ascertain what I sufficiently well knew already? Pooh! I am not in my second childhood yet!"

It was useless to argue with him; besides the mischief, if mischief there was, had been done, and the not long-delayed entrance of the young couple necessitating a change of topic, I innocently inquired what he thought of the Negro Emancipation

Bill which Mr. Stanley, as the organ of the ministry, had introduced a few evenings previously? and was rewarded by a perfect deluge of loquacious indignation and invective—during a pause in which hurly-burly of angry words I contrived to effect my escape.

"Crowther & Jenkins!" exclaimed one morning, Mr. Flint, looking up from the "Times" newspaper he held in his hand. "Crowther & Jenkins!—what is it we know about Crowther & Jenkins?"

The question was addressed to me, and I, like my partner, could not at the moment precisely recall why those names sounded upon our ears with a certain degree of interest as well as familiarity. "Crowther & Jenkins!" I echoed. "True; what *do* we know about Crowther & Jenkins? Oh, I have it! —they are the executors of a will under which young Linden's pretty bride, that is to be, inherits her fortune."

"Ah!" exclaimed Mr. Flint, as he put down the paper, and looked me gravely in the face—"I remember now; their names are in the list of bankrupts. A failure in the gambling corn-trade too. I hope they have not been speculating with the young woman's money."

The words were scarcely out of his mouth when Mr. Linden was announced, and presently in walked that gentleman in a state of considerable excitement.

"I told you," he began, "some time ago about Crowther & Jenkins being the persons in whose names Catherine Arnold's money stood in the funds?"

"Yes," replied Flint; "and I see by the 'Gazette' they are bankrupts, and, by your face, that they have speculated with your intended daughter-in-law's money, and lost it!"

"Positively so!" rejoined Mr. Linden, with great heat

"Drew it out many months ago! But they have exceedingly wealthy connections—at least Crowther has—who will, I suppose, arrange Miss Arnold's claim rather than their relative should be arraigned for felony."

"Felony!—you are mistaken, my good sir. There is no felony—no *legal* felony, I mean—in the matter. Miss Arnold can only prove against the estate like any other creditor."

"The devil she can't! Tom, then, must look out for another wife, for I am credibly informed there wont be a shilling in the pound."

And so it turned out. The great corn-firm had been insolvent for years; and after speculating desperately, and to a frightful extent, with a view to recover themselves, had failed to an enormous amount—their assets, comparatively speaking, proving to be *nil*.

The ruin spread around, chiefly on account of the vast quantity of accommodation-paper they had afloat, was terrible; but upon no one did the blow fall with greater severity than on young Linden and his promised wife. His father ordered him to instantly break off all acquaintance with Miss Arnold; and on the son, who was deeply attached to her, peremptorily refusing to do so, Linden, senior, threatened to turn him out of doors, and ultimately disinherit him. Angry, indignant, and in love, Thomas Linden did a very rash and foolish thing; he persuaded Catherine Arnold to consent to a private marriage, arguing that if the indissoluble knot were once fairly tied, his father would, as a matter of course—he being an only child—become reconciled to what he could no longer hope to prevent or remedy.

The imprudent young man deceived both himself and her who trusted in his pleasing plausibilities. Ten minutes after he had disclosed the marriage to his father, he was turned, almost

penniless, out of doors; and the exasperated and inexorable old man refused to listen to any representation in his favor, by whomsoever proffered, and finally, even to permit the mention of his name in his hearing.

"It's of no use," said Mr. Flint, on returning for the last time, from a mission undertaken to extort, if possible, some provision against absolute starvation for the newly-wedded couple. "He is as cold and hard as adamant, and I think, if possible, even more of a tiger than before. He will be here presently to give instructions for his will."

"His will! Surely he will draw that up himself after his own common-sense, business fashion?"

"He would unquestionably have done so a short time since; but some events that have lately occurred have considerably shaken his estimate of his own infallibility, and he is, moreover, determined, he says, that there shall be no mistake as to effectually disinheriting his son. He has made two or three heavy losses, and his mind is altogether in a very cankered, distempered state."

Mr. Linden called, as he had promised to do, and gave us the written heads of a will which he desired to have at once formally drawn up. By this instrument he devised the Holmford estate, and all other property, real and personal, of which he might die possessed, to certain charitable institutions, in varying proportions, payable as soon after his death as the property could be turned into money. "The statute of mortmain does not give me much uneasiness," remarked the vindictive old man with a bitter smile. "I shall last some time yet. I would have left it all to you, Flint," he added, "only that I knew you would defeat my purpose by giving it back to that disobedient, ungrateful, worthless boy."

"Do leave it to me," rejoined Mr. Flint, with grave emphasis, "and I promise you faithfully this—that the wish respecting it, whatever it may be, which trembles on your lip as you are about to leave this world for another, and when it may be too late to formally revoke the testament you now propose, shall be strictly carried out. That time cannot be a very distant one, John Linden, for a man whose hair is white as yours."

It was preaching to the winds. He was deaf, blind, mute, to every attempt at changing his resolve. The will was drawn in accordance with his peremptorily-iterated instructions, and duly signed, sealed, and attested. Not very long afterwards, Mr. Linden disposed of his business in Mincing Lane, and retired to Holmford, but with nothing like the money-fortune he had once calculated upon; the losses alluded to by Mr. Flint, and followed by others, having considerably diminished his wealth.

We ultimately obtained a respectable and remunerative situation for Thomas Linden in a mercantile house at Belfast, with which we were professionally acquainted, and after securing berths in the *Erin* steamer, he, with his wife and mother-in-law, came, with a kind of hopeful sadness in their looks and voices, to bid us farewell—for a very long time, they and we also feared—

For an eternity, it seemed, on reading the account of the loss of the *Erin*, a few days afterwards, with every soul on board! Their names were published with those of the other passengers who had embarked, and we had of course concluded that they had perished, when a letter reached us from Belfast, stating that, through some delay on the part of Mrs. Arnold, they had happily lost their passage in the *Erin*, and embarked in the next steamer for Belfast, where they arrived in perfect safety. We forwarded this intelligence to Holmford, but it elicited no reply.

We heard nothing of Mr. Linden for about two months, except by occasional notices in the "Hereford Times," which he regularly forwarded to the office, relative to the improvements on the Holmford estate, either actually begun or contemplated by its new proprietor. He very suddenly reappeared. I was cooling my heels in the waiting-room of the chambers of the Barons of the Exchequer, Chancery Lane, awaiting my turn of admission, when one of our clerks came in, half-breathless with haste. "You are wanted, sir, immediately; Mr. Flint is out, and Mr. Linden is at the office raving like a mad-man." I instantly transferred the business I was in attendance at chambers upon, to the clerk, and with the help of a cab soon reached home.

Mr. Linden was not *raving* when I arrived. The violence of the paroxysm of rage and terror by which he was possessed had passed away, and he looked, as I entered, the image of pale, rigid, iron, dumb despair. He held a letter and a strip of parchment in his hand; these he presented, and with white, stammering lips, bade me read. The letter was from an attorney of the name of Sawbridge, giving notice of an action of ejectment, to oust him from the possession of the Holmford estate, the property, according to Mr. Sawbridge, of one Edwin Majoribanks; and the strip of parchment was the writ by which the letter had been quickly followed. I was astounded; and my scared looks questioned Mr. Linden for further information

"I do not quite understand it," he said in a hoarse, palpitating voice. "No possession or title in the venders; a niece not of age—executors no power to sell—Palliser discovered it, robbed me, absconded, and I, oh God! am a miserable beggar!"

The last words were uttered with a convulsive scream, and after a few frightful struggles he fell down in a fit. I had him

conveyed to bed, and as soon as he was somewhat recovered, I hastened off to ascertain from Sawbridge, whom I knew very intimately, the nature of the claim intended to be set up for the plaintiff, Edwin Majoribanks.

I met Sawbridge just as he was leaving his office, and as he was in too great a hurry to turn back, I walked along with him, and he rapidly detailed the chief facts about to be embodied in the plaintiff's declaration. Archibald Dursley, once a London merchant, and who died a bachelor, had bequeathed his estate, real and personal, to his brother Charles, and a niece, his sister's child—two-thirds to the niece, and one-third to the brother. The Holmford property, the will directed, should be sold by public auction when the niece came of age, unless she, by marriage or otherwise, was enabled, within six months after attaining her majority, to pay over to Charles Dursley his third in money, according to a valuation made for the purpose by competent assessors. The brother, Charles Dursley, had urged upon the executors to anticipate the time directed by the will for the sale of the property; and having persuaded the niece to give a written authorization for the immediate sale, the executors, chiefly, Sawbridge supposed, prompted by their own necessities, sold the estate accordingly. But the niece not being of age when she signed the authority to sell, her consent was of no legal value; and she having since died intestate, Edwin Majoribanks, her cousin and undoubted heir-at-law—for the property could not have passed from her, even by marriage—now claimed the estate. Charles Dursley, the brother, was dead; "and," continued Mr. Sawbridge, "the worst of it is, Linden will never get a farthing of his purchase-money from the venders, for they are bankrupt, nor from Palliser, who has made permanent arrangements for continuing abroad, out of harm's reach. It is

just as I tell you," he added, as we shook hands at parting; "but you will of course see the will, and satisfy yourself. Good-by."

Here was a precious result of amateur common-sense lawyership! Linden could only have examined the abstract of title furnished him by Palliser's attorney, and not the right of Dursley's executors to sell; or had not been aware that the niece could not during her minority, subscribe an effective legal consent.

I found Mr. Flint at the office, and quickly imparted the astounding news. He was as much taken aback as myself.

"The obstinate, pig-headed old ass!" he exclaimed; "it almost serves him right, if only for his Tom-fool nonsense of 'Every man his own lawyer.' What did you say was the niece's name?"

"Well, I don't remember that Sawbridge told me—he was in such a hurry; but suppose you go at once and look over the will?"

"True: I will do so;" and away he went.

"This is a very singular affair, Sharp," said Mr. Flint on his return from Doctors' Commons, at the same time composedly seating himself, hooking his thumbs into the arm-holes of his waistcoat, crossing his legs, and tilting his chair back on its hind legs. "A very singular affair. Whom, in the name of the god of thieves—Mercury, wasn't he called?—do you suppose the bankrupt executors to be? No other," continued Mr. Flint with a sudden burst, "than Crowther & Jenkins!"

"The devil!—and the niece then is"——

"Catherine Arnold—Tom Linden's wife—supposed to have been drowned in the *Erin!* That's check-mate, I rather fancy—not only to Mr. Edwin Majoribanks, but some one else we

know of. The old fellow up stairs wont refuse to acknowledge his daughter-in-law now, I fancy!"

This was indeed a happy change in the fortunes of the House of Linden; and we discussed, with much alacrity, the best mode of turning disclosures so momentous and surprising to the best account. As a first step, a letter with an inclosure, was dispatched to Belfast, requiring the return of Thomas Linden and family immediately; and the next was to plead in form to the action. This done, we awaited Catherine Linden's arrival in London, and Mr. Linden senior's convalescence—for his mental agitation had resulted in a sharp fit of illness—to effect a satisfactory and just arrangement.

Mr. and Mrs. Thomas Linden and Mrs. Arnold arrived by the earliest steamer that left Belfast after the receipt of our letter; and much astonished were they by the intelligence that awaited them. Catherine Linden was for confirming the validity of the sale of the Holmford estate by her now authoritative consent at once, as a mere act of common justice and good faith; but this, looking at the total loss of fortune she had sustained by the knavery of the executors, and the obstinate, mulish temper of the father-in-law, from whom she had already received such harsh treatment, could not for a moment be permitted; and it was finally resolved to take advantage of the legal position in which she stood, to enforce a due present provision for herself and husband, and their ultimate succession to the estate.

John Linden gradually recovered; and as soon as it was deemed prudent to do so, we informed him that the niece was not dead, as the plaintiff in the action of ejectment had supposed, and that of course, if she could now be persuaded to ratify the imperative consent she had formerly subscribed, he

might retain Holmford. At first he received the intelligence as a gleam of light and hope, but he soon relapsed into doubt and gloom. "What chance was there," he hopelessly argued, "that, holding the legal power, she would not exercise it?" It was not, he said, in human nature to do otherwise; and he commissioned us to make liberal offers for a compromise. Half —he would be content to lose half his purchase-money; even a greater sacrifice than that he would agree to—anything, indeed, that would not be utter ruin—that did not involve utter beggary and destitution in old age.

Three days after this conversation, I announced to him that the lady and her husband were below and desirous of seeing him.

"What do they say?" he eagerly demanded. "Will they accept of half—two-thirds? What do they say?"

"I cannot precisely tell you. They wish to see you alone, and you can urge your own views and offers." He trembled violently, and shrank nervously back as I placed my hand on the door-handle of the private office. He presently recovered in some degree his self-possession, passed in, and I withdrew from the humiliating, but salutary spectacle, of obdurate tyrant-power compelled to humble itself before those whom it had previously scorned and trampled upon.

The legal arrangements which Flint and I had suggested were effected, and Linden, senior, accompanied by his son, daughter-in-law, and Mrs. Arnold, set off in restored amity for Holmford House. Edwin Majoribanks abandoned his action, and Palliser, finding that matters were satsfactorily arranged, retired to England. We afterwards knew that he had discovered the defect of title, on applying to a well-known conveyancer, to raise a considerable sum by way of mortgage, and that his first

step was to threaten legal proceedings against Crowther & Jenkins for the recovery of his money; but a hint he obtained of the futility of proceedings against them, determined him to offer the estate at a low figure to Linden, relying upon that gentleman's ostentatious contempt of lawyers that the blot in the title, subjected only to his own common-sense spectacles, would not be perceived.

Part V.

THE CHEST OF DRAWERS.

I am about to relate a rather curious piece of domestic history, some of the incidents of which, revealed at the time of their occurrence in contemporary law reports, may be in the remembrance of many readers. It took place in one of the midland counties, and at a place which I shall call Watley; the names of the chief actors who figured in it must also, to spare their modesty or their blushes, as the case may be, be changed; and should one of those persons, spite of these precautions, apprehend unpleasant recognition, he will be able to console himself with the reflection, that all I state beyond that which may be gathered from the records of the law courts will be generally ascribed to the fancy or invention of the writer. And it is as well, perhaps, that it should be so.

Caleb Jennings, a shoemaker, cobler, snob—using the last word in its genuine classical sense, and by no means according to the modern interpretation by which it is held to signify a genteel sneak or pretender—he was anything but that—occupied, some twelve or thirteen years ago, a stall at Watley, which, according to the traditions of the place, had been hereditary in his family for several generations. He may also be said to have flourished there, after the manner of cobblers; for this, it must be remembered, was in the good old times, before the gutta-percha revolution had carried ruin and dismay into the stalls—those of cobblers—which in considerable numbers

existed throughout the kingdom. Like all his fraternity whom I have ever fallen in with or heard of, Caleb was a sturdy radical of the Major Cartwright and Henry Hunt school; and being withal industrious, tolerably skillful, not inordinately prone to the observance of Saint Mondays, possessed, moreover, of a neatly-furnished sleeping and eating apartment in the house of which the projecting first floor, supported on stone pillars, overshadowed his humble work-place, he vaunted himself to be as really rich as an estated squire, and far more independent.

There was some truth in this boast, as the case which procured us the honor of Mr. Jennings's acquaintance sufficiently proved. We were employed to bring an action against a wealthy gentleman of the vicinity of Watley for a brutal and unprovoked assault he had committed, when in a state of partial inebriety, upon a respectable London tradesman who had visited the place on business. On the day of trial our witnesses appeared to have become suddenly afflicted with an almost total loss of memory; and we were only saved from an adverse verdict by the plain, straight-forward evidence of Caleb, upon whose sturdy nature the various arts which soften or neutralize hostile evidence had been tried in vain. Mr. Flint, who personally superintended the case, took quite a liking to the man; and it thus happened that we were called upon sometime afterwards to aid the said Caleb in extricating himself from the extraordinary and perplexing difficulty in which he suddenly and unwittingly found himself involved.

The projecting first floor of the house beneath which the humble work-shop of Caleb Jennings modestly disclosed itself, had been occupied for many years by an ailing and somewhat aged gentleman of the name of Lisle. This Mr. Ambrose Lisle was a native of Watley, and had been a prosperous mer-

chant of the city of London. Since his return, after about twenty years' absence, he had shut himself up in almost total seclusion, nourishing a cynical bitterness and acrimony of temper which gradually withered up the sources of health and life, till at length it became as visible to himself as it had for sometime been to others, that the oil of existence was expended, burnt up, and that but a few weak flickers more, and the ailing man's plaints and griefs would be hushed in the dark silence of the grave.

Mr. Lisle had no relatives at Watley, and the only individual with whom he was on terms of personal intimacy, was Mr. Peter Sowerby, an attorney of the place, who had for many years transacted all his business. This man visited Mr. Lisle most evenings, played at chess with him, and gradually acquired an influence over his client which that weak gentleman had once or twice feebly, but vainly endeavored to shake off. To this clever attorney, it was rumored, Mr. Lisle had bequeathed all his wealth.

This piece of information had been put in circulation by Caleb Jennings, who was a sort of humble favorite of Mr. Lisle's, or, at all events, was regarded by the misanthrope with less dislike than he manifested towards others. Caleb cultivated a few flowers in a little plot of ground at the back of the house, and Mr. Lisle would sometimes accept a rose or a bunch of violets from him. Other slight services—especially since the recent death of his old and garrulous woman-servant, Esther May, who had accompanied him from London, and with whom Mr. Jennings had always been upon terms of gossiping intimacy—had led to certain familiarities of intercourse; and it thus happened that the inquisitive shoemaker became partially acquainted with the history of the wrongs and griefs which

preyed upon, and shortened the life of the prematurely-aged man.

The substance of this every-day, common-place story, as related to us by Jennings, and subsequently enlarged and colored from other sources, may be very briefly told.

Ambrose Lisle, in consequence of an accident which occurred in his infancy, was slightly deformed. His right shoulder—as I understood, for I never saw him—grew out, giving an ungraceful and somewhat comical twist to his figure, which, in female eyes—youthful ones at least—sadly marred the effect of his intelligent and handsome countenance. This personal defect rendered him shy and awkward in the presence of women of his own class of society; and he had attained the ripe age of thirty-seven years, and was a rich and prosperous man, before he gave the slightest token of an inclination towards matrimony. About a twelvemonth previous to that period of his life, the deaths—quickly following each other—of a Mr. and Mrs. Stevens, threw their eldest daughter, Lucy, upon Mr. Lisle's hands. Mr. Lisle had been left an orphan at a very early age, and Mrs. Stevens—his aunt, and then a maiden lady—had, in accordance with his father's will, taken charge of himself and brother till they severally attained their majority. Long, however, before that, she married Mr. Stevens, by whom she had two children—Lucy and Emily. Her husband, whom she survived but two months, died insolvent; and in obedience to the dying wishes of his aunt, for whom he appears to have felt the tenderest esteem, he took the eldest of her orphan children to his home, intending to regard and provide for her as his own adopted child and heiress. Emily, the other sister, found refuge in the house of a still more distant relative than himself.

The Stevenses had gone to live in a remote part of England —Yorkshire, I believe—and it thus fell out, that, till his cousin Lucy arrived at her new home, he had not seen her for more than ten years. The pale, and somewhat plain child, as he had esteemed her, he was startled to find had become a charming woman; and her naturally gay and joyous temperament, quick talents, and fresh young beauty, rapidly acquired an overwhelming influence over him. Strenuously, but vainly, he struggled against the growing infatuation—argued, reasoned with himself —passed in review the insurmountable objections to such a union, the difference of age—he, leading towards thirty-seven, she, barely twenty-one: he, crooked, deformed, of reserved, taciturn temper—she, full of young life, and grace, and beauty. It was useless; and nearly a year had passed in the bootless struggle, when Lucy Stevens, who had vainly striven to blind herself to the nature of the emotions by which her cousin and guardian was animated towards her, intimated a wish to accept her sister Emily's invitation to pass two or three months with her. This brought the affair to a crisis. Buoying himself up with the illusions which people in such an unreasonable frame of mind create for themselves, he suddenly entered the sitting-room set apart for her private use, with the desperate purpose of making his beautiful cousin a formal offer of his hand. She was not in the apartment, but her opened writing-desk, and a partly-finished letter lying on it, showed that she had been recently there, and would probably soon return. Mr. Lisle took two or three agitated turns about the room, one of which brought him close to the writing-desk, and his glance involuntarily fell upon the unfinished letter. Had a deadly serpent leaped suddenly at his throat, the shock could not have been greater. At the head of the sheet of paper was a clever pen-

and-ink sketch of Lucy Stevens and himself—he, kneeling to her in a lovelorn, ludicrous attitude, and she, laughing immoderately at his lachrymose and pitiful aspect and speech. The letter was addressed to her sister Emily; and the enraged lover saw not only that his supposed secret was fully known, but that he himself was mocked, laughed at, for his doting folly. At least this was his interpretation of the words which swam before his eyes. At the instant Lucy returned, and a torrent of imprecation burst from the furious man, in which wounded self-love, rageful pride, and long pent-up passion, found utterance in wild and bitter words. Half an hour afterwards Lucy Stevens had left the merchant's house—for ever, as it proved. She, indeed, on arriving at her sister's, sent a letter, supplicating forgiveness for the thoughtless, and, as he deemed it, insulting sketch, intended only for Emily's eye; but he replied merely by a note written by one of his clerks, informing Miss Stevens that Mr. Lisle declined any further correspondence with her.

The ire of the angered and vindictive man had, however, begun sensibly to abate, and old thoughts, memories, duties, suggested partly by the blank which Lucy's absence made in his house, partly by remembrance of the solemn promise he had made her mother, were strongly reviving in his mind, when he read the announcement of marriage in a provincial journal, directed to him, as he believed, in the bride's hand-writing; but this was an error, her sister having sent the newspaper. Mr. Lisle also construed this into a deliberate mockery and insult, and from that hour strove to banish all images and thoughts connected with his cousin, from his heart and memory.

He unfortunately adopted the very worst course possible for effecting this object. Had he remained amid the buzz and tu-

mult of active life, a mere sentimental disappointment, such as thousands of us have sustained and afterwards forgotten, would, there can be little doubt, have soon ceased to afflict him. He chose to retire from business, visited Watley, and habits of miserliness growing rapidly upon his cankered mind, never afterwards removed from the lodgings he had hired on first arriving there. Thus madly hugging to himself sharp-pointed memories, which a sensible man would have speedily cast off and forgotten, the sour misanthrope passed a useless, cheerless, weary existence, to which death must have been a welcome relief.

Matters were in this state with the morose and aged man—aged mentally and corporeally, although his years were but fifty-eight—when Mr. Flint made Mr. Jennings's acquaintance. Another month or so had passed away when Caleb's attention was one day about noon claimed by a young man dressed in mourning, accompanied by a female similarly attired, and from their resemblance to each other he conjectured were brother and sister. The stranger wished to know if that was the house in which Mr. Ambrose Lisle resided. Jennings said it was; and with civil alacrity left his stall and rang the front-door bell. The summons was answered by the landlady's servant, who, since Esther May's death, had waited on the first-floor lodger; and the visitors were invited to go up stairs. Caleb, much wondering who they might be, returned to his stall, and from thence passed into his eating and sleeping-room just below Mr. Lisle's apartments. He was in the act of taking a pipe from the mantel-shelf, in order to the more deliberate and satisfactory cogitation on such an unusual event, when he was startled by a loud shout, or scream rather, from above. The quivering and excited voice was that of Mr. Lisle, and the outcry was immediately followed by an explosion of unintelligible

exclamations from several persons. Caleb was up stairs in an instant, and found himself in the midst of a strangely-perplexing and distracted scene. Mr. Lisle, pale as his shirt, shaking in every limb, and his eyes on fire with passion, was hurling forth a torrent of vituperation and reproach at the young woman, whom he evidently mistook for some one else; whilst she, extremely terrified, and unable to stand but for the assistance of her companion, was tendering a letter in her outstretched hand, and uttering broken sentences, which her own agitation and the fury of Mr. Lisle's invectives rendered totally incomprehensible. At last the fierce old man struck the letter from her hand, and with frantic rage ordered both the strangers to leave the room. Caleb urged them to comply, and accompanied them down stairs. When they reached the street, he observed a woman on the other side of the way, dressed in mourning, and much older apparently, though he could not well see her face through the thick veil she wore, than she who had thrown Mr. Lisle into such an agony of rage, apparently waiting for them. To her the young people immediately hastened, and after a brief conference the three turned away up the street, and Mr. Jennings saw no more of them.

A quarter of an hour afterwards the house-servant informed Caleb that Mr. Lisle had retired to bed, and although still in great agitation, and, as she feared, seriously indisposed, would not permit Dr. Clarke to be sent for. So sudden and violent a hurricane in the usually dull and drowsy atmosphere in which Jennings lived, excited and disturbed him greatly; the hours, however, flew past without bringing any relief to his curiosity, and evening was falling, when a peculiar knocking on the floor over-head announced that Mr. Lisle desired his presence. That gentleman was sitting up in bed, and in the growing darkness

his face could not be very distinctly seen; but Caleb instantly observed a vivid and unusual light in the old man's eyes. The letter so strangely delivered was lying open before him; and unless the shoe-mender was greatly mistaken, there were stains of recent tears upon Mr. Lisle's furrowed and hollow cheeks. The voice, too, it struck Caleb, though eager, was gentle and wavering. "It was a mistake, Jennings," he said; "I was mad for the moment. Are they gone?" he added in a yet more subdued and gentle tone. Caleb informed him of what he had seen; and as he did so, the strange light in the old man's eyes seemed to quiver and sparkle with a yet intenser emotion than before. Presently he shaded them with his hand, and remained several minutes silent. He then said with a firmer voice, "I shall be glad if you will step to Mr. Sowerby, and tell him I am too unwell to see him this evening. But be sure to say nothing else," he eagerly added, as Caleb turned away in compliance with his request; "and when you come back, let me see you again."

When Jennings returned, he found to his great surprise Mr. Lisle up and nearly dressed; and his astonishment increased a hundred-fold upon hearing that gentleman say, in a quick but perfectly collected and decided manner, that he should set off for London by the mail-train.

"For London—and by night!" exclaimed Caleb, scarcely sure that he heard aright.

"Yes—yes! I shall not be observed in the dark," sharply rejoined Mr. Lisle; "and you, Caleb, must keep my secret from every body, especially from Sowerby. I shall be here in time to see him to-morrow night, and he will be none the wiser." This was said with a slight chuckle; and as soon as his simple preparations were complete, Mr. Lisle, well

wrapped up, and his face almost hidden by shawls, locked his door, and assisted by Jennings, stole furtively down stairs, and reached unrecognized the railway station just in time for the train.

It was quite dark the next evening when Mr. Lisle returned; and so well had he managed, that Mr. Sowerby, who paid his usual visit about half an hour afterwards, had evidently heard nothing of the suspicious absence of his esteemed client from Watley. The old man exulted over the success of his deception to Caleb, the next morning, but dropped no hint as to the object of his sudden journey.

Three days passed without the occurrence of any incident tending to the enlightenment of Mr. Jennings upon these mysterious events, which, however, he plainly saw had lamentably shaken the long-since failing man. On the afternoon of the fourth day, Mr. Lisle walked, or rather tottered, into Caleb's stall, and seated himself on the only vacant stool it contained. His manner was confused, and frequently purposeless, and there was an anxious, flurried expression in his face, which Jennings did not at all like. He remained silent for some time, with the exception of partially inaudible snatches of comment or questionings, apparently addressed to himself. At last he said, "I shall take a longer journey to-morrow, Caleb—much longer; let me see—where did I say? Ah, yes! to Glasgow; to be sure to Glasgow!"

"To Glasgow, and to-morrow!" exclaimed the astounded cobbler.

"No, no—not Glasgow; they have removed," feebly rejoined Mr. Lisle. "But Lucy has written it down for me. True—true; and to-morrow I shall set out."

The strange expression of Mr. Lisle's face became moment-

arily more strongly marked, and Jennings, greatly alarmed, said, "You are ill, Mr. Lisle; let me run for Dr. Clarke."

"No—no," he murmured, at the same time striving to rise from his seat, which he could only accomplish by Caleb's assistance, and so supported, he staggered indoors. "I shall be better to-morrow," he said faintly, and then slowly added, "To-morrow, and to-morrow, and to-morrow! Ah, me! Yes, as I said, to-morrow, I"—— He paused abruptly, and they gained his apartment. He seated himself, and then Jennings, at his mute solicitation, assisted him to bed.

He lay some time with his eyes closed; and Caleb could feel —for Mr. Lisle held him firmly by the hand, as if to prevent his going away—a convulsive shudder pass over his frame. At last he slowly opened his eyes, and Caleb saw that he was indeed about to depart upon the long journey from which there is no return. The lips of the dying man worked inarticulately for some moments; and then with a mighty effort, as it seemed, he said, whilst his trembling hand pointed feebly to a bureau chest of drawers that stood in the room, "There—there, for Lucy; there, the secret place is"—— Some inaudible words followed, and then after a still mightier struggle than before, he gasped out, "No word—no word—to—to Sowerby—for her—Lucy."

More was said, but undistinguishable by mortal ear; and after gazing with an expression of indescribable anxiety in the scared face of his awe-struck listener, the wearied eyes slowly reclosed—the deep silence flowed past; then the convulsive shudder came again, and he was dead!

Caleb Jennings tremblingly summoned the house-servant and the landlady, and was still confusedly pondering the broken sentences uttered by the dying man, when Mr. Sowerby hurriedly

arrived. The attorney's first care was to assume the direction of affairs, and to place seals upon every article containing or likely to contain anything of value belonging to the deceased. This done, he went away to give directions for the funeral, which took place a few days afterwards; and it was then formally announced that Mr. Sowerby succeeded by will to the large property of Ambrose Lisle; under trust, however, for the family, if any, of Robert Lisle, the deceased's brother, who had gone when very young to India, and had not been heard of for many years—a condition which did not at all mar the joy of the crafty lawyer, he having long since instituted private inquiries, which perfectly satisfied him, that the said Robert Lisle had died, unmarried, at Calcutta.

Mr. Jennings was in a state of great dubiety and consternation. Sowerby had emptied the chest of drawers of every valuable it contained; and unless he had missed the secret receptacle Mr. Lisle had spoken of, the deceased's intentions, whatever they might have been, were clearly defeated. And if he had *not* discovered it, how could he, Jennings, get at the drawers to examine them? A fortunate chance brought some relief to his perplexities. Ambrose Lisle's furniture was advertised to be sold by auction, and Caleb resolved to purchase the bureau chest of drawers at almost any price, although to do so would oblige him to break into his rent-money, then nearly due. The day of sale came, and the important lot in its turn was put up. In one of the drawers there were a number of loose newspapers, and other valueless scraps; and Caleb, with a sly grin, asked the auctioneer, if he sold the article with all its contents. "Oh, yes," said Sowerby, who was watching the sale; "the buyer may have all it contains over his bargain, and much good may it do him." A laugh followed the attorney's sneering re-

mark, and the biddings went on. "I want it," observed Caleb, "because it just fits a recess like this one in my room underneath." This he said to quiet a suspicion he thought he saw gathering upon the attorney's brow. It was finally knocked down to Caleb at £5 10s., a sum considerably beyond its real value; and he had to borrow a sovereign in order to clear his speculative purchase. This done, he carried off his prize, and as soon as the closing of the house for the night secured him from interruption, he set eagerly to work in search of the secret drawer. A long and patient examination was richly rewarded. Behind one of the small drawers of the *secrétaire* portion of the piece of furniture was another small one, curiously concealed, which contained Bank-of-England notes to the amount of £200, tied up with a letter, upon the back of which was written, in the deceased's hand-writing, "To take with me." The letter which Caleb, although he read print with facility, had much difficulty in making out, was that which Mr. Lisle had struck from the young woman's hand a few weeks before, and proved to be a very affecting appeal from Lucy Stevens, now Lucy Warner, and a widow, with two grown-up children. Her husband had died in insolvent circumstances, and she and her sister Emily, who was still single, were endeavoring to carry on a school at Bristol, which promised to be sufficiently prosperous if the sum of about £150 could be raised, to save the furniture from her deceased husband's creditors. The claim was pressing, for Mr. Warner had been dead nearly a year, and Mr. Lisle being the only relative Mrs. Warner had in the world, she had ventured to entreat his assistance for her mother's sake. There could be no moral doubt, therefore, that this money was intended for Mrs. Warner's relief; and early in the morning Mr. Caleb Jennings dressed himself in his Sunday's suit, and with a brief

announcement to his landlady that he was about to leave Watley for a day or two, on a visit to a friend, set off for the railway station. He had not proceeded far when a difficulty struck him—the bank-notes were all twenties; and were he to change a twenty-pound note at the station, where he was well known, great would be the tattle and wonderment, if nothing worse, that would ensue. So Caleb tried his credit again, borrowed sufficient for his journey to London, and there changed one of the notes.

He soon reached Bristol, and blessed was the relief which the sum of money he brought afforded Mrs. Warner. She expressed much sorrow for the death of Mr. Lisle, and great gratitude to Caleb. The worthy man accepted with some reluctance one of the notes, or at least as much as remained of that which he had changed; and after exchanging promises with the widow and her relatives to keep the matter secret, departed homewards. The young woman, Mrs. Warner's daughter, who had brought the letter to Watley, was, Caleb noticed, the very image of her mother, or, rather, of what her mother must have been when young. This remarkable resemblance it was, no doubt, which had for the moment so confounded and agitated Mr. Lisle.

Nothing occurred for about a fortnight after Caleb's return to disquiet him, and he had begun to feel tolerably sure that his discovery of the notes would remain unsuspected, when, one afternoon, the sudden and impetuous entrance of Mr. Sowerby into his stall caused him to jump up from his seat with surprise and alarm. The attorney's face was deathly white, his eyes glared like a wild beast's, and his whole appearance exhibited uncontrollable agitation. "A word with you, Mr. Jennings," he gasped—"a word in private, and at once!" Caleb, in

scarcely less consternation than his visitor, led the way into his inner room, and closed the door.

"Restore—give back," screamed the attorney, vainly struggling to dissemble the agitation which convulsed him—"that—that which you have purloined from the chest of drawers!"

The hot blood rushed to Caleb's face and temples; the wild vehemence and suddenness of the demand confounded him; and certain previous dim suspicions that the law might not only pronounce what he had done illegal, but possibly felonious, returned upon him with terrible force, and he quite lost his presence of mind.

"I can't—I can't," he stammered. "It's gone—given away"——

"Gone!" shouted, or, more correctly, howled—Sowerby, at the same time flying at Caleb's throat as if he would throttle him. "Gone—given away! You lie—you want to drive a bargain with me—dog!—liar!—rascal!—thief!"

This was a species of attack which Jennings was at no loss how to meet. He shook the attorney roughly off, and hurled him, in the midst of his vituperation, to the further end of the room.

They then stood glaring at each other in silence, till the attorney, mastering himself as well as he could, essayed another and more rational mode of attaining his purpose:—

"Come, come, Jennings," he said, "don't be a fool. Let us understand each other. I have just discovered a paper, a memorandum of what you have found in the drawers, and to obtain which you bought them. I don't care for the money—keep it; only give me the papers—documents."

"Papers—documents!" ejaculated Caleb, in unfeigned surprise.

"Yes—yes; of use to me only. You, I remember, cannot read writing; but they are of great consequence to me—to me only, I tell you."

"You can't mean Mrs. Warner's letter?"

"No—no; curse the letter! You are playing with a tiger! Keep the money, I tell you; but give up the papers—documents—or I'll transport you!" shouted Sowerby with reviving fury.

Caleb, thoroughly bewildered, could only mechanically ejacu late that he had no papers or documents.

The rage of the attorney when he found he could extract nothing from Jennings was frightful. He literally foamed with passion, uttered the wildest threats; and then suddenly changing his key, offered the astounded cobbler one—two—three thousand pounds—any sum he chose to name, for the papers —documents! This scene of alternate violence and cajolery lasted nearly an hour; and then Sowerby rushed from the house as if pursued by the furies, and leaving his auditor in a state of thorough bewilderment and dismay. It occurred to Caleb, as soon as his mind had settled into something like order, that there might be another secret drawer; and the recollection of Mr. Lisle's journey to London recurred suggestively to him. Another long and eager search, however, proved fruitless; and the suspicion was given up, or, more correctly, weakened.

As soon as it was light the next morning, Mr. Sowerby was again with him. He was more guarded now, and was at length convinced that Jennings had no paper or document to give up. "It was only some important memoranda," observed the attorney carelessly, "that would save me a world of trouble in a lawsuit I shall have to bring againt some heavy debtors to Mr. Lisle's estate; but I must do as well as I can without them.

Good morning." Just as he reached the door a sudden thought appeared to strike him. He stopped and said, "By the way, Jennings, in the hurry of business I forgot that Mr. Lisle had told me the chest of drawers you bought, and a few other articles, were family relics which he wished to be given to certain parties he named. The other things I have got; and you, I suppose, will let me have the drawers for—say a pound profit on your bargain?"

Caleb was not the acutest man in the world; but this sudden proposition, carelessly as it was made, suggested curious thoughts. "No," he answered; "I shall not part with it. I shall keep it as a memorial of Mr. Lisle."

Sowerby's face assumed as Caleb spoke, a ferocious expression. "Shall you?" said he. "Then, be sure, my fine fellow, that you shall also have something to remember me by as long as you live."

He then went away, and a few days afterwards Caleb was served with a writ for the recovery of the two hundred pounds.

The affair made a great noise in the place; and Caleb's conduct being very generally approved, a subscription was set on foot to defray the cost of defending the action—one Hayling, a rival attorney to Sowerby, having asserted that the words used by the proprietor of the chest of drawers at the sale barred his claim to the money found in them. This wise gentleman was intrusted with the defence; and strange to say, the jury—a common one—spite of the direction of the judge, returned a verdict for the defendant, upon the ground that Sowerby's jocular or sneering remark amounted to a serious, valid leave and license to sell two hundred pounds for five pounds ten shillings!

Sowerby obtained, as a matter of course, a rule for a new

trial; and a fresh action was brought. All at once Hayling refused to go on, alleging deficiency of funds. He told Jennings that in his opinion it would be better that he should give in to Sowerby's whim, who only wanted the drawers in order to comply with the testator's wishes. "Besides," remarked Hayling in conclusion, "he is sure to get the article, you know, when it comes to be sold under a writ of *fi fa.*" A few days after this conversation it was ascertained that Hayling was to succeed to Sowerby's business, the latter gentleman being about to retire upon the fortune bequeathed him by Mr. Lisle.

At last Caleb, driven nearly out of his senses, though still doggedly obstinate, by the harassing perplexities in which he found himself, thought of applying to us.

"A very curious affair, upon my word," remarked Mr. Flint, as soon as Caleb had unburdened himself of the story of his woes and cares; "and in my opinion by no means explainable by Sowerby's anxiety to fulfill the testator's wishes. He cannot expect to get two hundred pence out of you; and Mrs. Warner, you say, is equally unable to pay. Very odd indeed. Perhaps if we could get time, something might turn up."

With this view Flint looked over the papers Caleb had brought, and found the declaration was in *trover*—a manifest error—the notes never admittedly having been in Sowerby's actual possession. We accordingly demurred to the form of action, and the proceedings were set aside. This, however, proved of no ultimate benefit. Sowerby persevered, and a fresh action was instituted against the unhappy shoemender. So uttterly overcrowed and disconsolate was poor Caleb, that he determined to give up the drawers which was all Sowerby even now required, and so wash his hands of the unfortunate business. Previous, however, to this being done,

it was determined that another thorough and scientific examination of the mysterious piece of furniture should be made; and for this purpose Mr. Flint obtained a workman skilled in the mysteries of secret contrivances, from the desk and dressing-case establishment in King Street, Holborn, and proceeded with him to Watley.

The man performed his task with great care and skill; every depth and width was guaged and measured, in order to ascertain if there were any false bottoms or backs; and the workman finally pronounced that there was no concealed receptacle in the article.

"I am sure there is," persisted Flint, whom disappointment as usual rendered but the more obstinate; "and so is Sowerby: and he knows too, that it is so cunningly contrived as to be undiscoverable, except by a person in the secret, which he no doubt at first imagined Caleb to be. I'll tell you what we'll do—You have the necessary tools with you. Split the confounded chest of drawers into shreds—I'll be answerable for the consequences."

This was done carefully and methodically, but for some time without result. At length the large drawer next the floor had to be knocked to pieces; and as it fell apart, one section of the bottom, which, like all the others, was divided into two compartments, dropped asunder, and discovered a parchment laid flat between the two thin leaves, which, when pressed together in the grooves of the drawer, presented precisely the same appearance as the rest. Flint snatched up the parchment, and his eager eye had scarcely rested an instant on the writing, when a shout of triumph burst from him. It was the last will and testament of Ambrose Lisle, dated August 21, 1838—the day of his last hurried visit to London It revoked

the former will, and bequeathed the whole of his property, in equal portions, to his cousins Lucy Warner and Emily Stevens, with succession to their children; but with reservation of one-half to his brother Robert or children, should he be alive, or have left offspring.

Great, it may be supposed, was the jubilation of Caleb Jennings at this discovery; and all Watley, by his agency, was in a marvelously short space of time in a very similar state of excitement. It was very late that night when he reached his bed; and how he got there at all, and what precisely had happened, except, indeed, that he had somewhere picked up a splitting headache, was, for some time after he awoke the next morning, very confusedly remembered.

Mr. Flint, by reflection, was by no means so exultant as the worthy shoe-mender. The odd mode of packing away a deed of such importance, with no assignable motive for doing so, except the needless awe with which Sowerby was said to have inspired his feeble-spirited client, together with what Caleb had said of the shattered state of the deceased's mind after the interview with Mrs. Warner's daughter, suggested fears that Sowerby might dispute, and perhaps successfully, the validity of this last will. My excellent partner, however, determined, as was his wont, to put a bold face on the matter; and first clearly settling in his own mind what he should and what he should *not* say, waited upon Mr. Sowerby. The news had preceded him, and he was at once surprised and delighted to find that the nervous crest-fallen attorney was quite unaware of the advantages of his position. On condition of not being called to account for the moneys he had received and expended, about £1200, he destroyed the former will in Mr. Flint's presence, and gave up, at once, all the deceased's papers. From these

we learned that Mr. Lisle had written a letter to Mrs. Warner, stating what he had done, and where the will would be found, and that only herself and Jennings would know the secret. From infirmity of purpose, or from having subsequently determined on a personal interview, the letter was not posted; and Sowerby subsequently discovered it, together with a memorandum of the numbers of the bank-notes found by Caleb in the secret drawer—the eccentric gentleman appears to have had quite a mania for such hiding-places—of a writing-desk.

The affair was thus happily terminated; Mrs. Warner, her children, and sister, were enriched, and Caleb Jennings was set up in a good way of business in his native place, where he still flourishes. Over the centre of his shop there is a large nondescript sign, surmounted by a golden boot, which upon a close inspection is found to bear a resemblance to a huge bureau chest of drawers, all the circumstances connected with which may be heard, for the asking, and in much fuller detail than I have given, from the lips of the owner of the establishment, by any lady or gentleman who will take the trouble of a journey to Watley for that purpose.

Part VI.

THE PUZZLE.

TEMPUS FUGIT! The space of but a few brief yesterdays seems to have passed since the occurrence of the following out-of-the-way incidents—out-of-the-way, even in our profession, fertile as it is in startling experiences; and yet the faithful and unerring tell-tale and monitor, Anno Domini 1851, instructs me that a quarter of a century has nearly slipped by since the first scene in the complicated play of circumstances opened upon me. The date I remember well, for the Tower-guns had been proclaiming with their thunder-throats the victory of Navarino but a short time before a clerk announced, "William Martin, with a message from Major Stewart."

This William Martin was a rather sorry curiosity in his way. He was now in the service of our old client, Major Stewart; and a tall, good-looking fellow enough, spite of a very decided cast in his eyes, which the rascal, when in his cups—no unusual occurrence—declared he had caught from his former masters—Edward Thorneycroft, Esq., an enormously rich and exceedingly yellow East India director, and his son, Mr. Henry Thorneycroft, with whom, until lately transferred to Major Stewart's service, he had lived from infancy—his mother and father having formed part of the elder Thorneycroft's establishment when he was born. He had a notion in his head that he had better blood in his veins than the world supposed, and was excessively fond of aping the gentleman; and this he did, I

must say, with the ease and assurance of a stage-player. His name was scarcely out of the clerk's lips when he entered the inner office with a great effort at steadiness and deliberation, closed the door very carefully and importantly, hung his hat with much precision on a brass peg, and then steadying himself by the door-handle, surveyed the situation and myself with staring lack-lustre eyes and infinite gravity. I saw what was the matter.

"You have been in the 'Sun,' Mr. Martin?"

A wink, inexpressible by words, replied to me, and I could see by the motion of the fellow's lips that speech was attempted; but it came so thick that it was several minutes before I made out that he meant to say the British had been knocking the Turks about like bricks, and that he had been patriotically drinking the healths of the said British or bricks.

"Have the goodness, sir, to deliver your message, and then instantly leave the office."

"Old Tho-o-o-rney," was the hiccoughed reply, "has smoked the—the plot. Young Thorney's done for. Ma-a-aried in a false name; tra-ansportation—of course."

"What gibberish is this about old Thorney and young Thorney? Do you not come from Major Stewart?"

"Ye-e-es, that's right; the route's arrived for the old trump; wishes to—to see you"

"Major Stewart dying! Why, you are a more disgraceful scamp than I believed you to be. Send this fellow away," I added to a clerk who answered my summons. I then hastened off, and was speedily rattling over the stones towards Baker Street, Portman Square, where Major Stewart resided. As I left the office I heard Martin beg the clerk to lead him to the pump previous to sending him off—no doubt for the purpose of

sobering himself somewhat previous to reappearing before the major, whose motives for hiring or retaining such a fellow in his modest establishment I could not understand.

"You were expected more than an hour ago," said Dr. Hampton, who was just leaving the house. "The major is now, I fear, incapable of business."

There was no time for explanation, and I hastily entered the sick-chamber. Major Stewart, though rapidly sinking, recognized me; and in obedience to a gesture from her master the aged, weeping house-keeper left the room. The major's daughter, Rosamond Stewart, had been absent with her aunt, her father's maiden sister, on a visit, I understood, to some friends in Scotland, and had not, I concluded, been made acquainted with the major's illness, which had only assumed a dangerous character a few days previously. The old soldier was dying calmly and painlessly—rather from exhaustion of strength, a general failure of the powers of life, than from any especial disease. A slight flush tinged the mortal pallor of his face as I entered, and the eyes emitted a slightly-reproachful expression.

"It is not more, my dear sir," I replied softly but eagerly to his look, "than a quarter of an hour ago that I received your message."

I do not know whether he comprehended or even distinctly heard what I said, for his feeble but extremely anxious glance was directed whilst I spoke to a large oil-portrait of Rosamond Stewart, suspended over the mantel-piece. The young lady was a splendid, dark-eyed beauty, and of course the pride and darling of her father. Presently wrenching, as it were, his eyes from the picture, he looked in my face with great earnestness, and bending my ear close to his lips, I heard him feebly and brokenly say, "A question to ask you, that's all; read—read!"

His hand motioned towards a letter which lay open on the bed; I ran it over, and the major's anxiety was at once explained. Rosamond Stewart had, I found, been a short time previously married in Scotland to Henry Thorneycroft, the son of the wealthy East India director. Finding his illness becoming serious, the major had anticipated the time and mode in which the young people had determined to break the intelligence to the irascible father of the bridegroom, and the result was the furious and angry letter in reply which I was perusing. Mr. Thorneycroft would never, he declared, recognize the marriage of his undutiful nephew—nephew, *not* son; for he was, the letter announced, the child of an only sister, whose marriage had also mortally offended Mr. Thorneycroft, and had been brought up from infancy as his (Mr. Thorneycroft's) son, in order that the hated name of Allerton, to which the boy was alone legally entitled, might never offend his ear. There was something added insinuative of a doubt of the legality of the marriage, in consequence of the misnomer of the bridegroom at the ceremony.

"One question," muttered the major, as I finished th perusal of the letter—"Is Rosamond's marriage legal?"

"No question about it. How could any one suppose that an involuntary misdescription can affect such a contract?"

"Enough—enough!" he gasped. "A great load is gone!—the rest is with God. Beloved Rosamond"—— The slight whisper was no longer audible; sighs, momently becoming fainter and weaker, followed—ceased, and in little more than ten minutes after the last word was spoken, life was extinct. I rang the bell, and turned to leave the room, and as I did so surprised Martin on the other side of the bed. He had been listening, screened by the thick damask curtains, and appeared

to be a good deal sobered. I made no remark, and proceeded on down stairs. The man followed, and as soon as we had gained the hall said quickly, yet hesitatingly, "Sir—sir!"

"Well, what have you to say?"

"Nothing very particular, sir. But did I understand you to say just now, that it was of no consequence if a man married in a false name?"

"That depends upon circumstances. Why do you ask?"

"Oh, nothing—nothing; only I have heard it's transportation, especially if there's money."

"Perhaps you are right. Anything else?"

"No," said he, opening the door; "that's all—mere curiosity."

I heard nothing more of the family for some time, except with reference to Major Stewart's personal property, about £4000 bequeathed to his daughter, with a charge thereon of an annuity of £20 a year for Mrs. Leslie, the aged house-keeper; the necessary business connected with which we transacted. But about a twelvemonth after the major's death, the marriage of the elder Thorneycroft with a widow of the same name as himself, and a cousin, the paper stated, was announced; and pretty nearly a year and a half subsequent to the appearance of this ominous paragraph, the decease of Mr. Henry Thorneycroft at Lausanne, in Switzerland, who had left, it was added in the newspaper stock-phrase of journalism, a young widow and two sons to mourn their irreparable loss. Silence again, as far as we were concerned, settled upon the destinies of the descendants of our old military client, till one fine morning a letter from Dr. Hampton informed us of the sudden death by apoplexy, a few days previously, of the East India director. Dr. Hampton further hinted that he should have occasion to write

us again in a day or two, relative to the deceased's affairs, which, owing to Mr. Thorneycroft's unconquerable aversion to making a will, had, it was feared, been left in an extremely unsatisfactory state. Dr. Hampton had written to us, at the widow's request, in consequence of his having informed her that we had been the professional advisers of Major Stewart, and were in all probability those of his daughter, Mrs. Henry Allerton.

We did not quite comprehend the drift of this curious epistle; but although not specially instructed, we determined at once to write to Mrs. Rosamond Thorneycroft or Allerton, who with her family was still abroad, and in the meantime take such formal steps in her behalf as might appear necessary.

We were not long in doubt as to the motives of the extremely civil application to ourselves on the part of the widow of the East India director. The deceased's wealth had been almost all invested in land, which went, he having died intestate, to his nephew's son, Henry Allerton; and the personals in which the widow would share were consequently of very small amount. Mrs. Thorneycroft was, therefore, anxious to propose, through us, a more satisfactory and equitable arrangement. We could of course say nothing till the arrival of Mrs. Rosamond Allerton, for which, however, we had only a brief time to wait. There were, we found, no indisposition on that lady's part to act with generosity towards Mr. Thorneycroft's widow—a showy, vulgarish person, by the way, of about forty years of age—but there was a legal difficulty in the way, in consequence of the heir-at-law being a minor. Mrs. Thorneycroft became at length terribly incensed, and talked a good deal of angry nonsense about disputing the claim of Henry Allerton's son to the estates, on the ground that his marriage, having been con-

tracted in a wrong name, was null and void. Several annoying paragraphs got in consequence into the Sunday newspapers, and these brought about a terrible disclosure.

About twelve o'clock one day, the Widow Thorneycroft bounced unceremoniously into the office, dragging in with her a comely and rather interesting-looking young woman, but of a decidedly rustic complexion and accent, and followed by a grave, middle-aged clergyman. The widow's large eyes sparkled with strong excitement, and her somewhat swarthy features were flushed with hot blood.

"I have brought you," she burst out abruptly, "the *real* Mrs. Allerton, and"——

"No, no!" interrupted the young woman, who appeared much agitated—"Thorneycroft, not Allerton!"——

"I know, child—I know; but that is nothing to the purpose. This young person, Mr. Sharp, is, I repeat, the true and lawful Mrs. Henry Allerton."

"Pooh!" I answered; "do you take us for idiots? This," I added with some sternness, "is either a ridiculous misapprehension or an attempt at imposture, and I am very careless which it may be."

"You are mistaken, sir," rejoined the clergyman mildly. "This young woman was certainly married by me at Swindon church, Wilts, to a gentleman of the name of Henry Thorneycroft, who, it appears from the newspapers, confirmed by this lady, was no other than Mr. Henry Allerton. This marriage, we find, took place six months previously to that contracted with Rosamond Stewart. I have further to say that this young woman, Maria Emsbury, is a very respectable person, and that her marriage-portion, of a little more than eight hundred pounds, was given to her husband, whom she has only seen thrice since

her marriage, to support himself till the death of his reputed father, constantly asserted by him to be imminent."

"A story very smoothly told, and I have no doubt in your opinion quite satisfactory; but there is one slight matter which I fancy you will find somewhat difficult of proof—I mean the identity of Maria Emsbury's husband with the son or nephew of the late Mr. Thorneycroft."

"He always said he was the son of the rich East Indian, Mr. Thorneycroft," said the young woman with a hysterical sob; "and here," she added, "is his picture in his wedding-dress—that of an officer of the Gloucestershire Yeomanry. He gave it me the day before the wedding."

I almost snatched the portrait. Sure enough it was a miniature of Henry Allerton—there could be no doubt about that.

Mr. Flint, who had been busy with some papers, here approached and glanced at the miniature.

I was utterly confounded, and my partner, I saw, was equally dismayed; and no wonder, entertaining as we both did the highest respect and admiration for the high-minded and beautiful daughter of Major Stewart.

The Widow Thorneycroft's exultation was exuberant.

"As this only legal marriage," said she, "has been blessed with no issue, I am of course, as you must be aware, the legitimate heiress-at-law, as my deceased husband's nearest blood-relative. I shall, however," she added, "take care to amply provide for my widowed niece-in-law."

The young woman made a profound rustic courtesy, and tears of unaffected gratitude, I observed, filled her eyes.

The game was not, however, to be quite so easily surrendered as they appeared to imagine. "Tut! tut!" exclaimed Mr.

Flint bluntly—"this may be mere practice. Who knows how the portrait has been obtained?"

The girl's eyes flashed with honest anger. There was no practice about her I felt assured. "Here are other proofs: My husband's signet-ring, left accidentally, I think, with me, and two letters which I from curiosity took out of his coat-pocket—the day, I am pretty sure it was, after we were married."

"If this cumulative circumstantial evidence does not convince you, gentlemen," added the Rev. Mr. Wishart, "I have direct personal testimony to offer. You know Mr. Angerstein of Bath?"

"I do."

"Well, Mr. Henry Thorneycroft or Allerton, was at the time this marriage took place, on a visit to that gentleman; and I myself saw the bridegroom, whom I had united a fortnight previously in Swindon church, walking arm-and-arm with Mr. Angerstein in Sydney Gardens, Bath. I was at some little distance, but I recognized both distinctly, and bowed. Mr. Angerstein returned my salutation, and he recollects the circumstance distinctly. The gentleman walking with him in the uniform of the Gloucestershire Yeomanry was, Mr. Angerstein is prepared to depose, Mr. Henry Thorneycroft or Allerton."

"You waste time, reverend sir," said Mr. Flint with an affectation of firmness and unconcern he was, I knew, far from feeling. "We are the attorneys of Mrs. Rosamond Allerton, and shall, I dare say, if you push us to it, be able to tear this ingeniously-colored cobweb of yours to shreds. If you determine on going to law, your solicitor can serve us; we will enter an appearance, and our client will be spared unnecessary annoyance."

They were about to leave, when, as ill-luck would have it,

one of the clerks who, deceived by the momentary silence, and from not having been at home when the unwelcome visitors arrived, believed we were disengaged, opened the door, and admitted Mrs. Rosamond Allerton and her aunt, Miss Stewart. Before we could interpose with a word, the Widow Thorneycroft burst out with the whole story in a torrent of exultant volubility that it was impossible to check or restrain.

For awhile contemptuous incredulity, indignant scorn, upheld the assailed lady; but as proof after proof was hurled at her, reinforced by the grave soberness of the clergyman and the weeping sympathy of the young woman, her firmness gave way, and she swooned in her aunt's arms. We should have more peremptorily interfered but for our unfortunate client's deprecatory gestures. She seemed determined to hear the worst at once. Now, however, we had the office cleared of the intruders without much ceremony and, as soon as the horror-stricken lady was sufficiently recovered, she was conducted to her carriage, and after arranging for an early interview on the morrow, was driven off.

I found our interesting, and, I feared, deeply-injured client much recovered from the shock which on the previous day had overwhelmed her; and although exceedingly pale—lustrously so, as polished Parian marble—and still painfully agitated, there was hope, almost confidence, in her eye and tone.

"There is some terrible misapprehension in this frightful affair, Mr. Sharp," she began. "Henry, my husband, was utterly incapable of a mean or dishonest act, much less of such utter baseness as this of which he is accused. They also say, do they not," she continued, with a smile of haughty contempt, "that he robbed the young woman of her poor dowry—some eight hundred pounds? A proper story!"

"That, I confess, from what little I knew of Mr. Henry Thorneycroft, stamps the whole affair as a fabrication; and yet the Reverend Mr. Wishart—a gentleman of high character, I understand—is very positive. The young woman, too, appeared truthful and sincere."

"Yes—it cannot be denied. Let me say also—for it is best to look at the subject on its darkest side—I find, on looking over my letters, that my husband was staying with Mr. Angerstein at the time stated. He was also at that period in the Gloucestershire Yeomanry. I gave William Martin, but the other day, a suit of his regimentals very little the worse for wear."

"You forget to state, Rosamond," said Miss Stewart, who was sitting beside her niece, "that Martin, who was with his young master at Bath, is willing to make oath that no such marriage took place as asserted, at Swindon church."

"That alone would, I fear, my good madam, very little avail. Can I see William Martin?"

"Certainly." The bell was rung, and the necessary order given.

"This Martin is much changed for the better, I hear?"

"O yes, entirely so," said Miss Stewart. "He is also exceedingly attached to us all, the children especially; and his grief and anger, when informed of what had occurred, thoroughly attest his faithfulness and sincerity."

Martin entered, and was, I thought, somewhat confused by my apparently unexpected presence. A look at his face and head dissipated a half-suspicion that had arisen in both Flint's mind and my own.

I asked him a few questions relative to the sojourn of his master at Bath, and then said, "I wish you to go with me and see this Maria Emsbury."

As I spoke, something seemed to attract Martin's attention in the street, and suddenly turning round, his arm swept a silver pastil-stand off the table. He stooped down to gather up the dispersed pastils, and as he did so, said, in answer to my request, "that he had not the slightest objection to do so."

"That being the case, we will set off at once, as she and her friends are probably at the office by this time. They are desirous of settling the matter off-hand," I added with a smile, addressing Mrs. Allerton, "and avoiding, if possible, the delays and uncertainties of the law."

As I anticipated, the formidable trio were with Mr. Flint. I introduced Martin, and as I did so, watched, with an anxiety I could hardly have given a reason for, the effect of his appearance upon the young woman. I observed nothing. He was evidently an utter stranger to her, although, from the involuntary flush which crossed his features, it occurred to me that he was in some way an accomplice with his deceased master in the cruel and infamous crime which had, I strongly feared, been perpetrated.

"Was this person present at your marriage?" I asked.

"Certainly not. But I think—now I look at him—that I have seen him somewhere—about Swindon, it must have been."

William Martin mumbled out that he had never been in Swindon; neither, he was sure, had his master.

"What is that?" said the girl, looking sharply up, and suddenly coloring—"What is that?"

Martin, a good deal abashed, again mumbled out his belief that young Mr. Thorneycroft, as he was then called, had never been at Swindon.

The indignant scarlet deepened on the young woman's face and temples, and she looked at Martin with fixed attention and

surprise. Presently recovering, as if from some vague confusedness of mind, she said, "What you *believe* can be no consequence—truth is truth, for all that."

The Rev. Mr. Wishart here interposed, remarking that as it was quite apparent we were determined to defend the usurpation by Miss Rosamond Stewart—a lady to be greatly pitied, no doubt—of another's right, it was useless to prolong or renew the interview; and all three took immediate leave. A few minutes afterward Martin also departed, still vehemently asserting that no such marriage ever took place at Swindon or anywhere else.

No stone, as people say, was left unturned by us, in the hope of discovering some clue that might enable us to unravel the tangled web of coherent, yet, looking at the character of young Mr. Allerton, *improbable* circumstance. We were unsuccessful, and unfortunately many other particulars which came to light but deepened the adverse complexion of the case. Two respectable persons living at Swindon were ready to depose on oath that they had on more than one occasion seen Maria Emsbury's sweetheart with Mr. Angerstein at Bath—once especially at the theatre, upon the benefit-night of the great Edmund Kean, who had been playing there for a few nights.

The entire case, fully stated, was ultimately laid by us before eminent counsel—one of whom is now, by the by, a chief-justice—and we were advised that the evidence as set forth by us could not be contended against with any chance of success. This sad result was communicated by me to Mrs. Allerton, as she still unswervingly believed herself to be, and was borne with more constancy and firmness than I had expected. Her faith in her husband's truth and honor was not in the slightest degree shaken by the accumulated proofs. She would not, however, attempt

to resist them before a court of law. Something would, she was confident, thereafter come to light that would vindicate the truth, and confiding in our zeal and watchfulness, she, her aunt, and children, would in the meantime shelter themselves from the gaze of the world in their former retreat at Lausanne.

This being the unhappy lady's final determination, I gave the other side notice that we should be ready on a given day to surrender possession of the house and effects in South Audley Street, which the Widow Thorneycroft had given up to her supposed niece-in-law and family on their arrival in England, and to re-obtain which, and thereby decide the whole question in dispute, legal proceedings had already been commenced.

On the morning appointed for the purpose—having taken leave of the ladies the day previously—I proceeded to South Audley Street, to formally give up possession, under protest, however. The niece and aunt were not yet gone. This, I found, was owing to Martin, who, according to the ladies, was so beside himself with grief and rage that he had been unable to expedite as he ought to have done, the packing intrusted to his care. I was vexed at this, as the Widow Thorneycroft, her *protégée*, and the Rev. Mr. Wishart, accompanied by a solicitor, were shortly expected; and it was desirable that a meeting of the antagonistic parties should be avoided. I descended to the lower regions to remonstrate with and hurry Martin, and found, as I feared, that his former evil habits had returned upon him. It was not yet twelve o'clock, and he was already partially intoxicated, and pale, trembling, and nervous from the effects, it was clear to me, of the previous night's debauch.

"Your mistress is grossly deceived in you!" I angrily exclaimed; "and if my advice were taken, you would be turned out of the house at once without a character. There, don't

attempt to bamboozle me with that nonsense ; I've seen fellows crying drunk before now."

He stammered out some broken excuses, to which I very impatiently listened ; and so thoroughly muddled did his brain appear, that he either could not or would not comprehend the possibility of Mrs. Allerton and her children being turned out of house and home, as he expressed it, and over and over again asked me if nothing could yet be done to prevent it. I was completely disgusted with the fellow, and sharply bidding him hasten his preparations for departure, rejoined the ladies, who were by this time assembled in the back drawing-room, ready shawled and bonneted for their journey. It was a sad sight. Rosamond Stewart's splendid face was shadowed by deep and bitter grief, borne, it is true, with pride and fortitude ; but it was easy to see its throbbing pulsations through all the forced calmness of the surface. Her aunt, of a weaker nature, sobbed loudly in the fullness of her grief; and the children, shrinking instinctively in the chilling atmosphere of a great calamity, clung, trembling and half-terrified, the eldest especially, to their mother. I did not insult them with phrases of condolence, but turned the conversation, if such it could be called, upon their future home and prospects in Switzerland. Some time had thus elapsed when my combative propensities were suddenly aroused by the loud dash of a carriage to the door, and the peremptory rat-tat-tat which followed. I felt my cheek flame as I said, " They demand admittance as if in possession of an assured, decided right. It is not yet too late to refuse possession, and take the chances of the law's uncertainty."

Mrs. Allerton shook her head with decisive meaning. " I could not bear it," she said in a tone of sorrowful gentleness. " But I trust we shall not be intruded upon."

I hurried out of the apartment, and met the triumphant claimants. I explained the cause of the delay, and suggested that Mrs. Thorneycroft and her friends could amuse themselves in the garden whilst the solicitor and I ran over the inventory of the chief valuables to be surrendered together.

This was agreed to. A minute or two before the conclusion of this necessary formality, I received a message from the ladies, expressive of a wish to be gone at once, if I would escort them to the hotel; and Martin, who was nowhere to be found, could follow. I hastened to comply with their wishes; and we were just about to issue from the front drawing-room, into which we had passed through the folding-doors, when we were confronted by the widow and her party, who had just reached the landing of the great staircase. We drew back in silence. The mutual confusion into which we were thrown caused a momentary hesitation only, and we were passing on when the butler suddenly appeared.

"A gentleman," he said, "an officer, is at the door, who wishes to see a Miss Maria Emsbury, formerly of Swindon."

I stared at the man, discerned a strange expression in his face, and it glanced across me at the same moment that I had heard no knock at the door.

"See Miss Emsbury!" exclaimed the Widow Thorneycroft, recovering her speech—"there is no such person here!"

"Pardon me, madam," I cried, catching eagerly at the interruption, as a drowning man is said to do at a straw—"this young person *was* at least Miss Emsbury. Desire the officer to walk up." The butler vanished instantly, and we all huddled back disorderly into the drawing-room, some one closing the door after us. I felt the grasp of Mrs. Allerton's arm tighten convulsively round mine, and her breath I heard, came quick and short. I was hardly less agitated myself.

Steps—slow and deliberate steps—were presently heard ascending the stairs, the door opened, and in walked a gentleman in the uniform of a yeomanry officer, whom at the first glance I could have sworn to be the deceased Mr. Henry Allerton. A slight exclamation of terror escaped Mrs. Allerton, followed by a loud hysterical scream from the Swindon young woman, as she staggered forward towards the stranger, exclaiming, "Oh, merciful God!—my husband!" and then fell, overcome with emotion, in his outstretched arms.

"Yes," said the Rev. Mr. Wishart promptly, "that is certainly the gentleman I united to Maria Emsbury. What can be the meaning of this scene?"

"Is that sufficient, Mr. Sharp?" exclaimed the officer, in a voice that removed all doubt.

"Quite, quite," I shouted—"more than enough!"

"Very well, then," said William Martin, dashing off his black curling wig, removing his whiskers of the same color, and giving his own light, but now cropped head of hair and clean-shaved cheeks to view. "Now, then, send for the police, and let them transport me—I richly merit it. I married this young woman in a false name; I robbed her of her money, and I deserve the hulks, if anybody ever did."

You might have heard a pin drop in the apartment whilst the repentant rascal thus spoke; and when he ceased, Mrs. Allerton, unable to bear up against the tumultuous emotion which his words excited, sank without breath or sensation upon a sofa. Assistance was summoned; and whilst the as yet imperfectly-informed servants were running from one to another with restoratives, I had leisure to look around. The Widow Thorneycroft, who had dropped into a chair, sat gazing in bewildered dismay upon the stranger, who still held her lately-

discovered niece-in-law in his arms; and I could see the hot perspiration which had gathered on her brow run in large drops down the white channels which they traced through the thick rouge of her cheeks. But the reader's fancy will supply the best image of this unexpected and extraordinary scene. I cleared the house of intruders and visitors as speedily as possible, well assured that matters would now adjust themselves without difficulty.

And so it proved. Martin was not sent to the hulks, though no question that he amply deserved a punishment as great as that. The self-sacrifice, as he deemed it, which he at last made, pleaded for him, and so did his pretty-looking wife; and the upshot was, that the mistaken bride's dowry was restored, with something over, and that a tavern was taken for them in Piccadilly—the White Bear, I think it was—where they lived comfortably and happily, I have heard, for a considerable time, and having considerably added to their capital, removed to a hotel of a higher grade in the city, where they now reside. It was not at all surprising that the clergyman and others had been deceived. The disguise, and Martin's imitative talent, might have misled persons on their guard, much more men unsuspicious of deception. The cast in the eyes, as well as a general resemblance of features, also of course greatly aided the imposture.

Of Mrs. Rosamond Allerton, I have only to say, for it is all I know, that she is rich, unwedded, and still splendidly beautiful, though of course somewhat *passée* compared with herself twenty years since. Happy, too, I have no doubt she is, judging from the placid brightness of her aspect the last time I saw her beneath the transept of the Crystal Palace, on the occasion of its opening by the Queen. I remember wondering at the time, if she often recalled to mind the passage in her life which I have here recorded.

Part VII.

THE ONE BLACK SPOT.

On the evening of a bleak, cold March day, in an early year of this century, a woman, scantily clad, led a boy about eight years old, along the high-road towards the old city of Exeter. They crept close to the hedge-side to shelter themselves from the clouds of dust, which the sudden gusts of east wind blew in their faces.

They had walked many miles, and the boy limped painfully. He often looked up anxiously into his mother's face, and asked if they had much farther to go? She scarcely appeared to notice his inquiries; her fixed eyes and sunken cheek gave evidence that sorrow absorbed all her thoughts. When he spoke, she drew him closer to her side, but made no reply; until, at length, the child, wondering at her silence, began to sob. She stopped and looked at her child for a moment, her eyes filled with tears. They had gained the top of a hill, from which was visible in the distance, the dark massive towers of the cathedral and the church-spires of the city; she pointed them out, and said, "We shall soon be there, Ned." Then, sitting down on a tree that was felled by the road-side, she took "Ned" on her lap, and, bending over him, wept aloud.

"Are you very tired, mother?" said the boy, trying to comfort her. "'Tis a long way—but don't cry—we shall see father when we come there."

"Yes—you will see your father once more."

She checked herself; and, striving to dry her tears, sat looking wistfully towards the place of her destination.

The tramp of horses, coming up the hill they had just ascended, drew the boy's attention to that direction. In a moment he had sprung from his mother, and was shouting, with child-like delight, at the appearance of a gay cavalcade which approached. About thirty men on horseback, in crimson liveries, surrounded two carriages, one of which contained two of His Majesty's Judges, accompanied by the High Sheriff of the county, who, with his javelin-men, was conducting them to the city, in which the Lent Assizes were about to be held.

The woman knelt until the carriages and the gaudy javelin-men had turned the corner at the foot of a hill, and were no longer visible; with her hands clasped together, she had prayed to God to temper with mercy the heart of the Judge, before whom her unfortunate husband, now in jail, would have to stand his trial. Then, taking the boy again by the hand—unable to explain to him what he had seen—she pursued her way with him, silently, along the dusty road.

As they drew nearer to the city, they overtook various groups of stragglers, who had deemed it their duty, in spite of the inclement weather to wander some miles out of the city to catch an early glimpse of "My Lord Judge," and the gay Sheriff's officers. Troops, also, of itinerant ballad-singers, rope-dancers, mountebanks, and caravans of wild beasts, still followed the Judges, as they had done throughout the circuit. "Walk more slowly, Ned," said the mother, checking the boy's desire to follow the 'shows.' "I am very tired; let us rest a little here." They lingered until the crowd was far ahead of them—and were left alone on the road.

Late in the evening, as the last stragglers were returning

home, the wayfarers found themselves in the suburbs of the city, and the forlorn woman looked around anxiously for a lodging. She feared the noisy people in the streets; and, turning timidly towards an old citizen who stood by his garden-gate, chatting to his housekeeper, and watching the passers-by —there was a kindness in his look which gave her confidence— so, with a homely courtesy, she ventured to inquire of him where she might find a decent resting-place.

"Have you never been here before?" he asked.

"Never but once, sir, when I was a child, many years ago."

"What part of the country do you come from?"

"Uffculme."

"Uffculme? How did you get here?"

"We have walked."

"You don't say that you have trudged all the way with that youngster?"

The housekeeper drowned the reply by loudly announcing to the old gentleman that his supper was waiting—"We have no lodgings, my good woman," she said, turning away from the gate.

"Stop, Martha, stop," said the citizen. "Can't we direct them somewhere?—you see they are strangers. I wonder where they could get a lodging?"

"I am sure I don't know," replied Martha, peevishly; "your supper will be cold—come in!"

"*We've* had no supper," said the boy.

"Poor little fellow!" said the old gentleman; "then I am sure you shall not go without. Martha, the bread and cheese!" And, opening the garden-gate, he made the travelers enter and sit down in the summer-house, whilst he went to fetch them a draught of cider

In spite of Martha's grumbling, he managed to get a substantial repast; but it grieved him that the woman, though she thanked him very gratefully and humbly, appeared unable to eat.

"Your boy eats heartily," said he, "but I am afraid you don't enjoy it."

With a choking utterance she thanked him, but could not eat

The good old man was striving, as well as he could, to explain to them their way to a part of the city, where they might find a lodging, when the garden-gate opened, and a young man gave to the host a hearty greeting.

At the sound of his voice, the cup the woman held in her hand, fell to the ground. This drew the youth's attention to her; he looked earnestly at her for a moment, and with an exclamation of surprise, said, "Why, this is Susan Harvey?"

The woman hid her face in her hands, and moaned.

"Do you know her, then, Alfred?" said the uncle.

"She nursed me when I was a little sickly boy," replied the youth; "she lived many years in my father's house."

"Then I am sure you will take her to some lodging to-night, for she is quite a stranger here. There is Martha calling to me again; she is not in the best temper to-night, so I had better go in, and I leave them to your care."

"Oh! tell me, Mr. Gray, have you seen him?" cried the woman eagerly.

"I have been with him to-day, Susan," said Gray, kindly taking her hand—"do not be cast down; all that can be done for Martin, shall be done. Let me take you where you can rest to night, and to-morrow you can be with him."

The weary little boy had fallen asleep on the seat; the mother strove to arouse him, but Alfred Gray prevented her,

by taking the little fellow in his arms. He carried him by her side through the streets; she could utter no words of gratitude, but her tears flowed fast, and told how the young man's sympathy had fallen like balm upon her wounded heart. "God has taken pity on me," she said, when they parted.

With a quick step Alfred regained his uncle's cottage; he had a difficult task to accomplish. Martin Harvey, now awaiting his trial for poaching, and for being concerned in an affray with Sir George Roberts' game-keepers, had once been his father's apprentice. Young Gray had been endeavoring to procure for him all the legal help which the laws then allowed; but his own means were limited, and, when he met Susan and her boy in the garden, he had come to visit his uncle to ask his assistance. He had now returned on the same errand. He pleaded earnestly, and with caution, but was repulsed. It was in vain he urged the poverty of agricultural laborers at that season, and the temptation which an abundance of game afforded to half-starved men and their wretched families.

"Nonsense, Alfred!" said old Mr. Gray. "I would not grudge you the money if you did not want it for a bad purpose. You must not excuse men who go out with guns and fire at their fellow-creatures in the dark."

"Martin did not fire, uncle—that is what I want to prove, and save him, if I can, from transportation. He has a wife and child."

"Wife and child!" repeated the old man thoughtfully. "You did not tell me he had a wife and child; that poor woman came from Uffculme."

"Providence must have guided her," said the younger Gray. "It was indeed Harvey's wife and son whom you so lately relieved."

"You shall have the money. I have all through life prayed that my heart may not be hardened; and I find, old as I am, that, every day I have fresh lessons to learn."

The next morning, while Alfred held anxious consultation with the lawyers, the wife and husband met within the prison walls. They sat together in silence, for neither could speak a single word of hope. The boy never forgot that long and dreary day, during which he watched, with wondering thoughts, the sad faces of his ruined parents.

The Crown Court of the Castle was next morning crowded to overflowing. Among the struggling crowd that vainly sought to gain admission, was Martin Harvey's wife. She was rudely repulsed by the door-keepers, who "wondered what women wanted in such places." She still strove to keep her ground, and watched with piteous looks the doors of the court. She braved the heat and pressure for some time; but a sickly faintness at length came over her. She was endeavoring to retreat into the open air, when she felt some one touch her shoulder, and turning, saw Alfred Gray making his way toward her. After a moment's pause in the cool air, he led her round to a side-door, through which there was a private entrance into the court. He whispered a word to an officer, who admitted them, and pointed to a seat behind the dock, where they were screened from observation, and where the woman could see her husband standing between his two fellow-prisoners.

The prisoners were listening anxiously to the evidence which the principal game-keeper was offering against them. The first, a man about sixty, excited greater interest than the others. He earnestly attended to what was going on, but gave no sign of fear, as to the result. Brushing back his gray locks, he gazed round the court, with something like a smile. This

man's life had been a strange one. Early in his career he had been ejected from a farm which he had held under the father of the present prosecutor, Sir George Roberts; he soon after lost what little property had been left him, and, in despair, enlisted—was sent abroad with his regiment—and for many years shared in the toils and achievements of our East Indian warfare. Returning home on a small pension, he fixed his abode in his native village, and sought to indulge his old enmity against the family that had injured him by every kind of annoyance in his power. The present baronet, a narrow-minded tyrannical man, afforded by his unpopularity good opportunity to old Ralph Somers to induce others to join him in his schemes of mischief and revenge. "The game," which was plentiful on the estate, and the preservation of which was Sir George's chief delight, formed the principal object of attack; the poverty of the laborers tempted them to follow the old soldier, who managed affairs so warily, that for nine years he had been an object of the utmost terror and hatred to Sir George and his keepers, whilst all their efforts to detect and capture him had, until now, been fruitless.

Martin Harvey, who stood by his side with his shattered arm in a sling, bore marks of acute mental suffering and remorse; but his countenance was stamped with its original, open, manly expression—a face often to be seen among a group of English farm laborers, expressive of a warm heart, full of both courage and kindness.

The evidence was soon given. The game-keepers, on the night of the 24th of February, were apprised that poachers were in the plantations. Taking with them a stronger force than usual, all well-armed, they discovered the objects of their search, in a lane leading out into the fields, and shouted to them

to surrender. They distinctly saw their figures flying before them, and when they approached them, one of the fugitives turned round and fired, wounding one of the keepers' legs with a quantity of small shot. The keeper immediately fired in return, and brought down a poacher; old Ralph's voice was heard shouting to them to desist, and upon coming up they found him standing by the side of Martin Harvey, who had fallen severely wounded. Three guns lay by them, one of which had been discharged, but no one could swear who had fired it; search was made all night for the other man, but without success.

When the prisoners were called on for their defence, they looked at one another for a moment as if neither wished to speak first; Ralph, however, began. He had little to say. Casting a look of defiance at Sir George and his lady, who sat in a side-gallery above the court, he freely confessed that hatred to the man who had injured him in his youth, and who had treated him with harshness on his return from abroad, had been the motive of his encouraging and aiding in these midnight depredations; he expressed sorrow for having occasioned trouble to his neighbor Harvey. "What I can say will be of little use to me here," said Martin Harvey, in a hollow voice; "I am ruined, beyond redress; but I was a very poor man when I first joined, with others, in snaring game; I often wanted bread, and saw my wife and child pinched for food also. The rich people say game belongs to them; but—well—all I can say more is, that I take God to witness I never lifted a murderous gun against my fellow-man; he who did it has escaped; and I have suffered this broken limb—but that I don't mind—I have worse than that to bear—I have broken my wife's heart, and my child will be left an orphan."

His voice failed. There was an uneasy movement among the

audience; and a lady, who had been leaning over the rails of the side-gallery listening with deep attention, fainted, and was carried out of court. The prisoner's pale wife, who had bowed her head behind him in silent endurance, heard a whisper among the bystanders that it was Lady Roberts, and a hope entered her mind that the lady's tender heart might feel for them.

"Have you any witnesses to call?" asked the Judge.

Martin looked round with a vacant gaze; the attorney whispered to him, and beckoned to Alfred Gray.

Alfred went into the witness-box, and told of the honesty, sobriety, and good conduct of Martin Harvey, during all the years he was in his father's house—"He was there before I was born," said the young man, "and only left when I was obliged to leave also, sixteen years after. A better man never broke bread—he was beloved by every body who knew him. Till now his character was never tainted. It's the one black spot."

The Judge commenced summing up; it was evident to all who had paid attention to the evidence, that the conviction of two of the prisoners was certain. Alfred Gray knew this, and strove to induce the wife to leave with him before the fatal close of proceedings; but she shook her head and would not go. "I shall have strength to bear it," she said.

He sat down by her side, and heard the fearful verdict of "guilty" pronounced against her husband and Ralph Somers; and then the dreaded doom of transportation for life awarded to them. As they turned to leave the dock, Martin looked down upon the crushed and broken-hearted being whom he had sworn to protect and cherish through life, and in spite of every effort to repress it, a cry of agony burst from his lips; it was

answered by a fainter sound, and Alfred Gray lifted the helpless, lifeless woman from the ground, and carried her into the open air.

Months passed; and on the day when the convict ship, with its freight of heavy hearts, began its silent course over the great waters, the widowed wife took her fatherless child by the hand, and again traversed the weary road which led them to their desolated home.

The kindness of the Grays had supplied a few immediate necessaries. Some one had told her of women having, by the aid of friends, managed to meet their husbands once more in those distant parts of the earth; and this knowledge once in her agitated mind, raised a hope which inspired her to pursue her daily task without fainting, and to watch an opportunity of making an attempt which she had meditated, even during that dreadful day of Martin's trial. She resolved to seek admission into Sir George Roberts' mansion, and appeal to the pity of his wife. It was told in the village that Lady Roberts had implored her husband to interpose in behalf of the men; that his angry and passionate refusal had caused a breach between them; that they had lived unhappily ever since; that he had strictly forbidden any one to mention the subject, or to convey to Lady Roberts any remarks that were made in the neighborhood.

Susan Harvey trembled when she entered the mansion, and timidly asked leave to speak to Lady Roberts.

The servant she addressed had known her husband, and pitied her distress; and, fearing lest Sir George might pass, he led her into his pantry, watching an opportunity to let the lady know of her being there.

After a time Lady Roberts' maid came, and beckoned her

to follow up-stairs. In a few moments the soft voice of the lady of the mansion was cheering her with kind words, and encouraging her to disclose her wishes.

Before she had concluded, a step was heard without, at which the lady started and turned pale. Before there was time for retreat Sir George hastily entered the apartment.

"Who have you here, Lady Roberts?"

"One who has a request to make, I believe," said the lady, mildly. "I wish a few moments with her."

"Have the goodness to walk out of this house," said the baronet to Susan. "Lady Roberts, I know this woman and I will not allow you to harbor such people here."

Although the convict's wife never again ventured into that house, her wants, and those of her child, were, during three years, ministered to by the secret agency of the Good Heart that lived so sadly there; and when, at the expiration of that period, Lady Roberts died, a trusty messenger brought to the cottage a little legacy—sufficient, if ever news came of Martin, to enable the wife and child, from whom he was separated, to make their way across the earth, and to meet him again.

But during those weary years no tidings of his fate had reached either his wife or Alfred Gray—to whom he had promised to write when he reached his destination. Another year dragged its slow course over the home of affliction, and poor Susan's hopes grew fainter day by day. Her sinking frame gave evidence of the sickness that cometh from the heart.

One summer evening, in the next year, Alfred Gray, entered his uncle's garden with a letter, and was soon seated in the summer-house reading it aloud to his uncle and Martha. Tears stood in the old man's eyes, as some touching detail of suffering or privation was related. And, indeed, the letter told of little

beside. It was from Martin. Soon after his arrival in the settlement, Martin had written to Alfred, but the letter had never reached England—not an unusual occurrence in those times. After waiting long, and getting no reply, he was driven by harsh treatment, and the degradation attending the life he led, to attempt, with old Ralph, an escape from the settlement. In simple language, he recorded the dreary life they led in the woods; how, after a time, old Ralph sickened and died; and how, in a desolate place, where the footsteps of man had, perhaps, never trod before, Martin Harvey had dug a grave, and buried his old companion. After that, unable to endure the terrible solitude, he had sought his way back to his former master, and had been treated more harshly than before. Fever and disease had wasted his frame, until he had prayed that he might die and be at rest; but God had been merciful to him, and had inclined the heart of one for whom he labored, who listened with compassion to his story, took him under his roof, and restored him to health. And now, Martin had obtained a ticket of leave, and served his kind master for wages, which he was carefully hoarding to send to Alfred Gray, as soon as he should hear from him that those he loved were still preserved, and would come and embrace him once more in that distant land.

"They shall go at once, Alfred," said old Mr. Gray, the moment the last sentence was read; "they shall not wait; we will provide the means—hey, Martha?"

He did not now fear to appeal to his companion. Martha had grown kinder of late, and she confessed she had learned of her cousin what gives most comfort to those who are drawing near their journey's end. "I can help them a little," she said.

"We will all help a little," Alfred replied "I shall be off

at break of day to-morrow, on neighbor Collins's pony, and shall give him no rest until he sets me down at Uffculme."

Accordingly, early next morning, Alfred Gray was riding briskly along through the pleasant green lanes which led toward his native village. It was the middle of June, bright, warm, sunny weather; and the young man's spirits was unusually gay, everything around him tending to heighten the delight which the good news he carried had inspired him with. The pony stepped out bravely, and was only checked when Alfred came in sight of the dear old home of his childhood, and heard the well-known chimes calling the villagers to their morning service, for it was Sunday. Then for a few moments the young man proceeded more slowly, and his countenance wore a more saddened look, as the blessed recollections of early loves and affections with which the scene was associated in his mind, claimed their power over all other thoughts. The voice of an old friend, from an apple-orchard hard by, recalled him from his reveries.

He shook hands through the hedge. "I will come and see you in the evening, Fred. I must hasten on now. She will go to church this morning, and I must go with her."

"Who?" asked the other.

Alfred pointed to the cottage where Susan Harvey dwelt. "I bring her good news—I have a letter. Martin is living and well."

The friend shook his head.

Alfred dismounted, and walked towards Susan Harvey's cottage. The door was closed, and when he looked through the window he could see no one inside. He lifted the latch softly and entered. There was no one there; but his entrance had been heard, and a moment after, a fine stout lad came out of

the inner chamber, took Alfred's proffered hand, and in answer to his inquiries, burst into tears.

"She says she cannot live long, sir; but she told me last night, that before she died, you would come and tell us news of father. She has been saying all the past week that we should hear from him soon."

Whilst the boy spoke, Alfred heard a weak voice, calling his name from the inner room.

"Go in," he said, "and tell her I am here."

The boy did so, and then beckoned him to enter.

Susan's submissive features were but little changed, from the time when her husband was taken from her; but the weak and wasted form that strove to raise itself in vain, as Alfred approached the bed-side, too plainly revealed that the struggle was drawing to a close—that the time of rest was at hand.

"Thank God, you are come," she said; "you have heard from him? Tell me quickly, for my time is short."

"I come to tell you good news, Susan. You may yet be restored to him."

"I shall not see Martin in this world again, Mr. Gray; but I shall close my eyes in peace. If you know where he is, and can tell me that my boy shall go and be with him, and tell him how, through these long weary years, we loved him, and thought of him, and prayed for him——" Here she broke off, and beckoned the boy to her. She held his hands within her own, whilst Alfred Gray read from the letter all that would comfort her.

When he had done, she said, "God will bless you—you have been very good to us in our misery. Now, will you promise me one thing more? Will you send my boy to his father, when I am gone?"

The promise was made, and the boy knelt long by her bedside, listening to the words of love and consolation which, with her latest breath, she uttered for the sake of him who, she hoped, would hear them again from his child's lips.

* * * * * * * * *

Nearly forty years have passed since they laid her among the graves of the humble villagers of Uffculme. Few remain now who remember her story or her name—but, on the other side of the world, amid scenery all unlike to that in which she dwelt, there stands a cheerful settler's home, and under the shadow of tall acacia trees which surround the little garden in which some few English flowers are blooming, there are sitting, in the cool of the summer evening, a group whose faces are all of the Anglo-Saxon mould. A happy looking couple, in the prime of life, are there, with children playing around them; and one little gentle girl, they call Susan, is sitting on the knee of an aged, white-haired man, looking lovingly into his face, and wondering why his eye so watches the setting sun every night, as it sinks behind the blue waters in the distance. Two tall, handsome lads, with guns on their shoulders, enter the garden, and hasten to show the old man the fruits of their day's exploits.

"We have been lucky to-day, grandfather," says the younger; but Alfred says these birds are not like the birds in old England."

"You should hear the sailors talk about the game in England, Martin," replies the brother.

"Grandfather has told us all about England, except the 'birds.' He thinks we should run away, if he were to describe them."

The old man looks steadily at the boys for a moment, and

his eyes fill with tears. "It is a glorious land," he says, with a faltering voice; "it is our country; but, Alfred, Martin, you will never leave this happy home to go there. Birds there are the rich man's property, and you would not dare carry those guns of yours over English ground. If ever you go there, your father will tell you where there is a church-yard—and among the graves of the poor, there is one——"

He stopped, for Edward Harvey came to the place where his father sat, and took his trembling hand within his own; the boys obeyed their mother's signal, and followed her into the house; the two men remained sitting together, until the silent stars came out.

Then the aged man, leaning on his son's arm, rejoined the family at the supper-table—and the peace of God rested on the solitary home. Edward Harvey had faithfully kept within his heart, the memory of his mother's dying commands.

Martin, his father, had nobly effaced the one Black Spot.

Part VIII.

THE GENTLEMAN BEGGAR.

One morning, about five years ago, I called by appointment on Mr. John Balance, the fashionable pawnbroker, to accompany him to Liverpool, in pursuit of a Levanting customer—for Balance, in addition to pawning, does a little business in the sixty per cent. line. It rained in torrents when the cab stopped at the passage which leads past the pawning-boxes to his private door. The cabman rang twice, and at length Balance appeared, looming through the mist and rain in the entry, illuminated by his perpetual cigar. As I eyed him rather impatiently, remembering that train wait for no man, something like a hairy dog, or a bundle ot rags, rose up at his feet, and barred his passage for a moment. Then Balance cried out with an exclamation, in answer apparently to a something I could not hear, "What, man alive!—slept in the passage!—there, take that, and get some breakfast, for Heaven's sake!" So saying, he jumped into the "Hansom," and we bowled away at ten miles an hour, just catching the Express as the doors of the station were closing. My curiosity was full set—for although Balance can be free with his money, it is not exactly to beggars that his generosity is usually displayed; so when comfortably ensconced in a *coupé* I finished with—

"You are liberal with your money this morning; pray, how often do you give silver to street-cadgers?—because I shall

know now what walk to take when flats and sharps leave off buying law."

Balance, who would have made an excellent parson if he had not been bred to a case-hardening trade, and has still a soft bit left in his heart that is always fighting with his hard head, did not smile at all, but looked as grim as if squeezing a lemon into his Saturday night's punch. He answered slowly, "A cadger—yes; a beggar—a miserable wretch, he is now; but, let me tell you, Master David, that that miserable bundle of rags was born and bred a gentleman—the son of a nobleman, the husband of an heiress, and has sat and dined at tables where you and I, Master David, are only allowed to view the plate by favor of the butler. I have lent him thousands, and been well paid. The last thing I had from him was his court-suit; and I hold now his bill for one hundred pounds that will be paid, I expect, when he dies."

"Why, what nonsense you are talking! you must be dreaming this morning. However, we are alone; I'll light a weed, in defiance of Railway-law, while you spin that yarn; for, true or untrue, it will fill up the time to Liverpool."

"As for yarn," replied Balance, "the whole story is short enough; and as for truth, that you may easily find out if you like to take the trouble. I thought the poor wretch was dead, and I own it put me out meeting him this morning, for I had a curious dream last night."

"Oh, hang your dreams! Tell us about this gentleman beggar that bleeds you of half-crowns—that melts the heart even of a pawnbroker!"

"Well, then, that beggar is the illegitimate son of the late Marquis of Hoopborough by a Spanish lady of rank. He received a first rate education, and was brought up in his father's

house. At a very early age he obtained an appointment in a public office, was presented by the marquis at court, and received into the first society, where his handsome person and agreeable manners made him a great favorite. Soon after coming of age, he married the daughter of Sir E. Bumper, who brought him a very handsome fortune, which was strictly settled on herself. They lived in splendid style, kept several carriages, a house in town, and a place in the country. For some reason or other, idleness, or to please his lady's pride he said, he resigned his appointment. His father died, and left him nothing; indeed, he seemed at that time very handsomely provided for.

"Very soon Mr. and Mrs. Molinos Fitz-Roy began to disagree. She was cold, correct—he was hot and random. He was quite dependent on her, and she made him feel it. When he began to get into debt, he came to me. At length some shocking quarrel occurred—some case of jealousy on the wife's side, not without reason, I believe; and the end of it was, Mr Fitz-Roy was turned out of doors. The house was his wife's, the furniture was his wife's, and the fortune was his wife's—he was, in fact, her pensioner. He left with a few hundred pounds ready money, and some personal jewelry, and went to a hotel. On these and credit he lived. Being illegitimate, he had no relations—being a fool, when he spent his money, he lost his friends. The world took his wife's part, when they found she had the fortune, and the only parties who interfered were her relatives, who did their best to make the quarrel incurable. To crown all, one night he was run over by a cab, was carried to a hospital, and lay there for months, and was, during several weeks of the time, unconscious. A message to the wife, by the hands of one of his debauched companions, sent by a hu-

mane surgeon, obtained an intimation that 'if he died, Mr. Croak, the undertaker to the family, had orders to see to the funeral,' and that Mrs. Molinos was on the point of starting for the Continent, not to return for some years. When Fitz-Roy was discharged, he came to me, limping on two sticks, to pawn his court-suit, and told me his story. I was really sorry for the fellow—such a handsome, thoroughbred-looking man. He was going then into the west somewhere, to try to hunt out a friend. 'What to do, Balance,' he said, 'I don't know. I can't dig, and unless somebody will make me their game-keeper, I must starve, or beg, as my Jezebel bade me, when we parted!'

"I lost sight of Molinos for a long time, and when I next came upon him it was in the Rookery of Westminster, in a low lodging-house, where I was searching with an officer for stolen goods. He was pointed out to me as the 'gentleman-cadger,' because he was so free with his money when 'in luck.' He recognized me, but turned away then. I have since seen him, and relieved him more than once, although he never asks for anything. How he lives, Heaven knows. Without money, without friends, without useful education of any kind, he tramps the country, as you saw him, perhaps doing a little hop-picking or hay-making, in season, only happy when he obtains the means to get drunk. I have heard through the kitchen whispers that you know come to me, that he is entitled to some property; and I expect if he were to die his wife would pay the hundred pound bill I hold; at any rate, what I have told you I know to be true, and the bundle of rags I relieved just now is known in every thieves' lodging in England as the 'gentleman cadger.'"

This story produced an impression on me: I am fond of speculation, and like the excitement of a legal hunt as much

as some do a fox-chase. A gentleman, a beggar—a wife rolling in wealth—rumors of unknown property due to the husband;—it seemed as if there were pickings for me amidst this carrion of pauperism.

Before returning from Liverpool, I had purchased the gentleman beggar's acceptance from Balance. I then inserted in the "Times" the following advertisement: "*Horatio Molinos Fitz-Roy.*—If this gentleman will apply to David Discount, Esq., Solicitor, St. James's, he will hear of something to his advantage. Any person furnishing Mr. F's correct address, shall receive £1 1*s.* reward. He was last seen," &c. Within twenty-four hours I had ample proof of the wide circulation of the "Times." My office was besieged with beggars of every degree, men and women, lame and blind, Irish, Scotch, and English—some on crutches, some in bowls, some in go-carts. They all knew him as "the gentleman," and I must do the regular fraternity of tramps the justice to say, that not one would answer a question until he made certain that I meant the "gentleman" no harm.

One evening, about three weeks after the appearance of the advertisement, my clerk announced "another beggar." There came in an old man leaning upon a staff, clad in a soldier's great-coat, all patched and torn, with a battered hat, from under which a mass of tangled hair fell over his shoulders and half concealed his face. The beggar, in a weak, wheezy, hesitating tone, said, "You have advertized for Molinos Fitz-Roy. I hope you don't mean him any harm; he is sunk, I think, too low for enmity now; and surely no one would sport with such misery as his." These last words were uttered in a sort of piteous whisper.

I answered quickly, "Heaven forbid I should sport with misery—I mean and hope to do him good, as well as myself."

"Then, sir, I am Molinos Fitz-Roy!"

While we were conversing candles had been brought in. I have not very tender nerves—my head would not agree with them—but I own I started and shuddered when I saw and knew that the wretched creature before me was under thirty years of age, and once a gentleman. Sharp, aquiline features, reduced to literal skin and bone, were begrimed and covered with dry fair hair; the white teeth of the half-open mouth chattered with eagerness, and made more hideous the foul pallor of the rest of the countenance. As he stood leaning on a staff half bent, his long, yellow bony fingers clasped over the crutch-head of his stick, he was indeed a picture of misery, famine, squalor, and premature age, too horrible to dwell upon. I made him sit down, sent for some refreshment which he devoured like a ghoul, and set to work to unravel his story. It was difficult to keep him to the point; but with pains I learned what convinced me that he was entitled to some property, whether great or small there was no evidence. On parting, I said, "Now, Mr. F., you must stay in town while I make proper inquiries. What allowance will be enough to keep you comfortably?"

He answered humbly after much pressing, "Would you think ten shillings too much?"

I don't like, if I do those things at all, to do them shabbily—so I said, "Come every Saturday and you shall have a pound." He was profuse in thanks, of course, as all such men are as long as distress lasts.

I had previously learned that my ragged client's wife was in England, living in a splendid house in Hyde Park Gardens, under her maiden name. On the following day the Earl of Owing called upon me, wanting five thousand pounds by five o'clock the same evening. It was a case of life or death with

him, so I made my terms and took advantage of his pressure to execute a *coup de main*. I proposed that he should drive me home to receive the money, calling at Mrs. Molinos in Hyde Park Gardens, on our way. I knew that the coronet and liveries of his father, the Marquis, would ensure me an audience with Mrs. Molinos Fitz-Roy.

My scheme answered. I was introduced into the lady's presence. She was, and probably is, a very stately, handsome woman, with a pale complexion, high solid forehead, regular features, thin, pinched, self-satisfied mouth. My interview was very short. I plunged into the middle of the affair, but had scarcely mentioned the word *husband*, when she interrupted me with, "I presume you have lent this profligate person money, and want me to pay you." She paused, and then said, "He shall not have a farthing." As she spoke, her white face became scarlet.

"But, Madam, the man is starving. I have strong reasons for believing he is entitled to property, and if you refuse any assistance, I must take other measures." She rang the bell, wrote something rapidly on a card, and, as the footman appeared, pushed it towards me across the table, with the air of touching a toad, saying, "There, sir, is the address of my solicitors; apply to them if you think you have any claim. Robert, show the person out, and take care he is not admitted again."

So far I had effected nothing; and, to tell the truth, felt rather crest-fallen under the influence of that grand manner peculiar to certain great ladies and to all great actresses.

My next visit was to the attorneys, Messrs. Leasem and Fashun, of Lincoln's Inn Square; and there I was at home. I had had dealings with the firm before. They are agents for

half the aristocracy, who always run in crowds like sheep after the same wine-merchants, the same architects, the same horse-dealers, and the same law-agents. It may be doubted whether the quality of law and land management they get on this principle is quite equal to their wine and horses. At any rate, my friends of Lincoln's Inn, like others of the same class, are distinguished by their courteous manners, deliberate proceedings, innocence of legal technicalities, long credit and heavy charges. Leasem, the elder partner, wears powder and a huge bunch of seals, lives in Queen Square, drives a brougham, gives the dinners and does the cordial department. He is so strict in performing the latter duty, that he once addressed a poacher who had shot a Duke's keeper, as "my dear creature," although he afterwards hung him.

Fashun has chambers in St. James Street, drives a cab, wears a tip, and does the grand haha style.

My business lay with Leasem. The interviews and letters passing were numerous. However, it came at last to the following dialogue :—

"Well, my dear Mr. Discount," began Mr. Leasem, who hates me like poison, "I'm really very sorry for that poor dear Molinos—knew his father well; a great man, a perfect gentleman; but you know what women are, eh, Mr. Discount? My client won't advance a shilling; she knows it would only be wasted in low dissipation. Now, don't you think (this was said very insinuatingly)—don't you think he had better be sent to the work-house? very comfortable accommodation there, I can assure you—meat twice a week, and excellent soup; and then, Mr. D., we might consider about allowing you something for that bill."

"Mr. Leasem, can you reconcile it to your conscience to

make such an arrangement? Here's a wife rolling in luxury, and a husband starving!"

"No, Mr. Discount, not starving; there is the work-house, as I observed before; besides, allow me to suggest that these appeals to feeling are quite unprofessional—quite unprofessional."

"But, Mr. Leasem, touching this property which the poor man is entitled to?"

"Why, there again, Mr. D., you must excuse me; you really must. I don't say he is, I don't say he is not. If you know he is entitled to property, I am sure you know how to proceed; the law is open to you, Mr. Discount—the law is open; and a man of your talent will know how to use it."

"Then, Mr. Leasem, you mean that I must, in order to right this starving man, file a Bill of Discovery, to extract from you the particulars of his rights. You have the Marriage Settlement, and all the information, and you decline to allow a pension, or afford any information; the man is to starve, or go to the work-house?"

"Why, Mr. D., you are so quick and violent, it really is not professional; but you see, (here a subdued smile of triumph,) it has been decided that a solicitor is not bound to afford such information as you ask, to the injury of his client."

"Then you mean that this poor Molinos may rot and starve, while you keep secret from him, at his wife's request, his title to an income, and that the Court of Chancery will back you in this iniquity?"

I kept repeating the word "starve," because I saw it made my respectable opponent wince. "Well, then, just listen to me: I know that in the happy state of our equity law, Chancery can't help my client; but I have another plan—I shall go

hence to my office, issue a writ, and take your client's husband in execution—as soon as he is lodged in jail, I shall file his schedule in the Insolvent Court, and when he comes up for his discharge, I shall put you in the witness-box, and examine you on oath, 'touching any property of which you know the insolvent to be possessed,' and where will be your privileged communications then?"

The respectable Leasem's face lengthened in a twinkling, his comfortable confident air vanished, he ceased twiddling his gold chain, and at length he muttered, "Suppose we pay the debt?"

"Why, then, I'll arrest him the day after for another."

"But, my dear Mr. Discount, surely such conduct would not be quite respectable?"

"That's my business; my client has been wronged, I am determined to right him, and when the aristocratic firm of Leasam and Fashun takes refuge according to the custom of respectable repudiators, in the cool arbors of the Court of Chancery, why, a mere bill-discounting attorney like David Discount, need not hesitate about cutting a bludgeon out of the Insolvent Court."

"Well, well, Mr. D., you are so warm—so fiery; we must deliberate, we must consult. You will give me until the day after to-morrow, and then we'll write you our final determination; in the meantime, send us a copy of your authority to act for Mr. Molinos Fitz-Roy."

Of course I lost no time in getting the gentleman beggar to sign a proper letter.

On the appointed day came a communication with the L. and F. seal, which I opened, not without unprofessional eagerness. It was as follows:—

"*In re Molinos Fitz-Roy and Another.*

"Sir,—In answer to your application on behalf of Mr. Molinos Fitz-Roy, we beg to inform you that, under the administration of a paternal aunt who died intestate, your client is entitled to two thousand five hundred pounds eight shillings and sixpence, Three per Cents.; one thousand five hundred pounds nineteen shillings and fourpence, Three per Cents., Reduced; one thousand pounds, Long Annuities; five hundred pounds, Bank Stock; three thousand five hundred pounds, India Stock, besides other securities, making up about ten thousand pounds, which we are prepared to transfer over to Mr. Molinos Fitz-Roy's direction forthwith."

Here was a windfall! It quite took away my breath.

At dusk came my gentleman beggar, and what puzzled me was how to break the news to him. Being very much overwhelmed with business that day, I had not much time for consideration. He came in rather better dressed than when I first saw him, with only a week's beard on his chin; but, as usual, not quite sober. Six weeks had elapsed since our first interview. He was still the humble, trembling, low-voiced creature, I first knew him.

After a prelude, I said, "I find, Mr. F., you are entitled to something; pray, what do you mean to give me in addition to my bill, for obtaining it?" He answered rapidly, "Oh, take half; if there is one hundred pounds, take half—if there is five hundred pounds, take half."

"No, no; Mr. F., I don't do business in that way, I shall be satisfied with ten per cent."

It was so settled. I then led him out into the street, impelled to tell him the news, yet dreading the effect; not daring to make the revelation in my office, for fear of a scene.

I began hesitatingly, "Mr. Fitz-Roy, I am happy to say that I find you are entitled to . . . . . ten thousand pounds!"

"Ten thousand pounds!" he echoed. "Ten thousand pounds!" he shrieked. "Ten thousand pounds!" he yelled; seizing my arm violently. "You are a brick——Here, cab! cab!" Several drove up—the shout might have been heard a mile off. He jumped in the first.

"Where to?" said the driver.

"To a tailor's, you rascal!"

"Ten thousand pounds! ha, ha, ha!" he repeated hysterically, when in the cab; and every moment grasping my arm. Presently he subsided, looked me straight in the face, and muttered with agonizing fervor, "What a jolly brick you are!"

The tailor, the hosier, the boot-maker, the hair-dresser, were in turn visited by this poor pagan of externals. As by degrees under their hands he emerged from the beggar to the gentleman, his spirits rose; his eyes brightened; he walked erect, but always nervously grasping my arm—fearing, apparently, to lose sight of me for a moment, lest his fortune should vanish with me. The impatient pride with which he gave his orders to the astonished tradesman for the finest and best of everything, and the amazed air of the fashionable hair-dresser when he presented his matted locks and stubble chin, to be "cut and shaved," may be *acted*—it cannot be described.

By the time the external transformation was complete, and I sat down in a *Café* in the Haymarket opposite a haggard but handsome thoroughbred-looking man, whose air, with the exception of the wild eyes and deeply browned face, did not differ from the stereotyped men about town sitting around us, Mr.

Molinos Fitz-Roy had already almost forgotten the past. He bullied the waiter, and criticised the wine, as if he had done nothing else but dine and drink and scold there all the days of his life.

Once he wished to drink my health, and would have proclaimed his whole story to the coffee-room assembly, in a raving style. When I left he almost wept in terror at the idea of losing sight of me. But, allowing for these ebullitions—the natural result of such a whirl of events—he was wonderfully calm and self-possessed.

The next day, his first care was to distribute fifty pounds among his friends, the cadgers, at a "house of call" in Wesminster, and formally to dissolve his connection with them; those present undertaking for the "fraternity," that for the future he should never be noticed by them in public or private.

I cannot follow his career much further. Adversity had taught him nothing. He was soon again surrounded by the well-bred vampires who had forgotten him when penniless; but they amused him, and that was enough. The ten thousand pounds were rapidly melting when he invited me to a grand dinner at Richmond, which included a dozen of the most agreeable, good-looking, well-dressed dandies of London, interspersed with a display of pretty butterfly bonnets. We dined deliciously, and drank as men do of iced wines in the dog-days —looking down from Richmond Hill.

One of the pink-bonnets crowned Fitz-Roy with a wreath of flowers; he looked—less the intellect—as handsome as Alcibiades. Intensely excited and flushed, he rose with a champagne glass in his hand to propose my health.

The oratorical powers of his father had not descended on

him. Jerking out sentences by spasms, at length he said, "I was a beggar—I am a gentleman—thanks to this ——"

Here he leaned on my shoulder heavily a moment, and then fell back. We raised him, loosened his neckcloth—

"Fainted!" said the ladies—

"Drunk!" said the gentlemen—

He was *dead!*

Part IX.

A FASHIONABLE FORGER.

I AM an attorney and a bill-discounter. As it is my vocation to lend money at high interest to extravagant people, my connection principally lies among "fools," sometimes among rogues "of quality." Mine is a pursuit which a prejudiced world either holds in sovereign contempt, or visits with envy, hatred, and all uncharitableness; but to my mind, there are many callings, with finer names, that are no better. It gives me two things which I love—money and power; but I cannot deny that it brings with it a bad name. The case lies between character and money, and involves a matter of taste. Some people like character; I prefer money. If I am hated and despised, I chuckle over the "per contra." I find it pleasant for members of a proud aristocracy to condescend from their high estate to fawn, feign, flatter; to affect even mirthful familiarity in order to gain my good-will. I am no Shylock. No client can accuse me of desiring either his flesh or his blood. Sentimental vengeance is no item in my stock in trade. Gold and bank-notes satisfy my "rage;" or, if need be, a good mortgage. Far from seeking revenge, the worst defaulter I ever had dealings with cannot deny that I am always willing to accept a good post-obit.

I say again, I am daily brought in contact with all ranks of society, from the poverty-stricken patentee to the peer; and I am no more surprised at receiving an application from a duchess than from a pet opera-dancer. In my ante-room wait, at this

moment, a crowd of borrowers. Among the men, (beardless folly and mustachioed craft are most prominent,) there is a handsome young fellow, with an elaborate cane and wonderfully vacant countenance, who is anticipating in feeble follies, an estate that has been in the possession of his ancestors since the reign of Henry the Eighth—there is a hairy, high-nosed, broken-down nondescript, in appearance something between a horse-dealer and a pugilist. He is an old Etonian. Five years ago he drove his four-in-hand; he is now waiting to beg a sovereign, having been just discharged from the Insolvent Court, for the second time. Among the women, a pretty actress, who, a few years since, looked forward to a supper of steak and onions, with bottled stout, on a Saturday night, as a great treat, now finds one hundred pounds a month insufficient to pay her wine merchant and her confectioner. I am obliged to deal with each case according to its peculiarities. Genuine undeserved Ruin seldom knocks at my door. Mine is a perpetual battle with people who imbibe trickery at the same rate as they dissolve their fortunes. I am a hard man, of course. I should not be fit for my pursuit if I were not; but when, by a remote chance, honest misfortune pays me a visit, as Rothschilds amused himself at times by giving a beggar a guinea, so I occasionally treat myself to the luxury of doing a kind action. My favorite subjects for this unnatural generosity, are the very young or the poor, innocent, helpless people, who are unfit for the war of life. Many among my clients (especially those tempered in the "ice book" of fashion and high-life—polished and passionless) would be too much for me, if I had not made the face, the eye, the accent, as much my study as the mere legal and financial points of discount. To show what I mean, I will relate what happened to me not long since:—

One day, a middle-aged man in the usual costume of a West-End shopman, who had sent in his name as Mr. Axminster, was shown into my private room. After a little hesitation, he said, "Although you do not know me, living at this end of the town, I know you very well by reputation, and that you discount bills. I have a bill here which I want to get discounted. I am in the employ of Messrs. Russle and Smooth. The bill is drawn by one of our best customers, the Hon. Miss Snape, niece of Lord Blimley, and accepted by Major Munge, whom, no doubt, you know by name. She has dealt with us for some years—is very, very extravagant; but always pays." He put the acceptance—which was for two hundred pounds—into my hands.

I looked at it as scrutinizingly as I usually do at such paper. The Major's signature was familiar to me; but having succeeded to a great estate, he had long ceased to be a customer. I instantly detected a forgery; by whom?—was the question. Could it be the man before me? Experience told me it was not. Perhaps there was something in the expression of my countenance which Mr. Axminster did not like, for he said, "It is good for the amount, I presume?"

I replied, "Pray, sir, from whom did you get this bill?"

"From Miss Snape herself."

"Have you circulated any other bills made by the same drawer?"

"O yes!" said the draper, without hesitation; "I have paid away a bill for one hundred pounds to Mr. Sparkle, the jeweller, to whom Miss Snape owed twenty pounds. They gave me the difference."

"And how long has that bill to run now?"

"About a fortnight."

"Did you indorse it?"

"I did. Mr. Sparkle required me to do so, to show that the bill came properly into his possession."

"This second bill, you say is urgently required to enable Miss Snape to leave town?"

"Yes; she is going to Brighton for the winter."

I gave Mr. Axminster a steady, piercing look of inquiry. "Pray, sir," I said, "could you meet that one hundred pounds bill, supposing it could not be paid by the accepter?"

"Meet it!" The poor fellow wiped from his forehead the perspiration which suddenly broke out at the bare hint of a probability that the bill would be dishonored—"Meet it? O no! I am a married man, with a family, and have nothing but my salary to depend on."

"Then the sooner you get it taken up, and the less you have to do with Miss Snape's bill affairs, the better."

"She has always been punctual hitherto."

"That may be." I pointed to the cross-writing on the document, and said deliberately, "*This* bill is a forgery!"

At these words the poor man turned pale. He snatched up the document, and with many incoherent protestations, was rushing toward the door, when I called to him in an authoritative tone, to stop. He paused—his manner indicating not only doubt, but fear. I said to him, "Don't flurry yourself; I only want to serve you. You tell me that you are a married man, with children, dependent on daily labor for daily bread, and that you have done a little discounting for Miss Snape, out of your earnings. Now, although I am a bill-discounter, I don't like to see such men victimized. Look at the body of this bill—look at the signature of your lady-customer, the drawer. Don't you detect the same fine, thin, sharp-pointed handwriting in the words,

'Accepted, Dymmock Munge." The man, convinced against his will, was at first overcome. When he recovered, he raved; he would expose the Honorable Miss Snape, if it cost him his bread—he would go at once to the police office. I stopped him, by saying roughly, "Don't be a fool! Any such steps would seal your ruin. Take my advice; return the bill to the lady, saying, simply, that you cannot get it discounted. Leave the rest to me, and I think the bill you have indorsed to Sparkle will be paid." Comforted by this assurance, Axminster, fearfully changed from the nervous, but smug, hopeful man of the morning, departed. It now remained for me to exert what skill I possessed, to bring about the desired result. I lost no time in writing a letter to the Honorable Miss Snape, of which the following is a copy:—

"MADAM,—A bill, purporting to be drawn by you, has been offered to me for discount. There is something wrong about it; and, though a stranger to you, I advise you to lose no time in getting it back into your own hands.—D. D."

I intended to deal with the affair quietly, and without any view to profit. The fact is, that I was sorry—you may laugh—but I really *was* sorry to think that a young girl might have given way to temptation under pressure of pecuniary difficulties If it had been a man's case, I doubt whether I should have interfered. By the return of post, a lady's maid entered my room, profusely decorated with ringlets, lace, and perfumed with *patchouli*. She brought a letter from her mistress. It ran thus:—

"SIR,—I cannot sufficiently express my thanks for your kindness in writing to me on the subject of the bills, of which I had

also heard a few hours previously. As a perfect *stranger* to you, I cannot estimate your kind consideration at too high a value. I trust the matter will be explained; but I should much like to see you. If you would be kind enough to write a note as soon as you receive this, I will order it to be sent to me at once to Tyburn Square. I will wait on you at any hour on Friday you may appoint. I believe that I am not mistaken in supposing that you transact business for my friend, Sir John Markham, and you will therefore know the inclosed to be his handwriting. Again thanking you most gratefully, allow me to remain your much and deeply obliged, JULIANA SNAPE."

This note was written upon delicate French paper embossed with a coat of arms. It was in a fancy envelope—the whole richly perfumed, and redolent of rank and fashion. Its contents were an implied confession of forgery. Silence, or three lines of indignation, would have been the only innocent answer to my letter. But Miss Snape thanked me. She let me know, by implication that she was on intimate terms with a name good on a West-End bill. My answer was, that I should be alone on the following afternoon at five.

At the hour fixed, punctual to a moment, a brougham drew up at the corner of the street next to my chambers. The Honorable Miss Snape's card was handed in. Presently, she entered, swimming into my room, richly, yet simply dressed in the extreme of Parisian good taste. She was pale—or rather colorless. She had fair hair, fine teeth, and a fashionable voice. She threw herself gracefully into the chair I handed to her, and began by uncoiling a string of phrases, to the effect that her visit was merely to consult me on "unavoidable pecuniary difficulties."

According to my mode, I allowed her to talk; putting in only an occasional word of question that seemed rather a random observation than a significant query. At length after walking round and round the subject, like a timid horse in a field around a groom with a sieve of oats, she came nearer and nearer the subject. When she had fairly approached the point, she stopped, as if her courage had failed her. But she soon recovered, and observed, "I cannot think why you should take the trouble to write so to me, a perfect stranger." Another pause—"I wonder no one ever suspected me before."

Here was a confession and a key to character. The cold gray eye, the thin compressed lips, which I had had time to observe, were true indexes to the "lady's inner heart;" selfish calculating, utterly devoid of conscience; unable to conceive the existence of spontaneous kindness; utterly indifferent to anything except discovery, and almost indifferent to that, because convinced that no serious consequences could affect a lady of her rank and influence.

"Madam," I replied, "as long as you dealt with tradesmen accustomed to depend on aristocratic customers, your rank and position, and their large profits, protected you from suspicion; but you have made a mistake in descending from your vantage ground to make a poor shopman your innocent accomplice—a man who will be keenly alive to anything that may injure his wife or children. His terrors—but for my interposition—would have ruined you utterly. Tell me, how many of these things have you put afloat?"

She seemed a little taken a-back by this speech, but was wonderfully firm. She passed her white, jewelled hand over her eyes, seemed calculating, and then whispered, with a confiding look of innocent helplessness, admirably assumed, "About as many as amount to twelve hundred pounds."

"And what means have you for meeting them?"

At this question so plainly put, her face flushed. She half rose from her chair, and exclaimed in the true tone of aristocratic *hauteur*, "Really, sir, I do not know what right you have to ask me that question."

I laughed a little, though not very loud. It was rude, I own; but who could have helped it? I replied, speaking low, but slowly and distinctly—"You forget. I did not send for you; you came to me. You have forged bills to the amount of twelve hundred pounds. Yours is not the case of a ruined merchant or an ignorant over-tempted clerk. In your case a jury"—(she shuddered at that word)—"would find no extenuating circumstances; and if you should fall into the hands of justice you will be convicted, degraded, clothed in a prison-dress, and transported for life. I do not want to speak harshly; but I insist that you find means to take up the bill which Mr. Axminster has so unwittingly indorsed!"

The Honorable Miss Snape's grand manner melted away. She wept. She seized and pressed my hand. She cast up her eyes, full of tears, and went through the part of a repentant victim with great fervor. She would do anything—anything in the world to save the poor man. Indeed, she had intended to appropriate part of the two hundred pound bill to that purpose. She forgot her first statement, that she wanted the money to go out of town. Without interrupting, I let her go on and degrade herself by a simulated passion of repentance, regret, and thankfulness to me, under which she hid her fear and her mortification at being detected. I at length put an end to a scene of admirable acting, by recommending her to go abroad immediately, to place herself out of reach of any sudden discovery; and then lay her case fully before her friends, who would no

doubt feel bound to come forward with the full amount of the forged bills. "But," she exclaimed, with an entreating air, "I have no money; I cannot go without money!" To that observation I did not respond although I am sure she expected that I should, check-book in hand, offer her a loan. I do not say so without reason; for, the very next week, this honorable young lady came again, and, with sublime assurance and a number of very charming, winning speeches, (which might have had their effect upon a younger man), asked me to lend her one hundred pounds, in order that she might take the advice I had so obligingly given her, and retire into private life for a certain time in the country. I do meet with a great many impudent people in the course of my calling—I am not very deficient in assurance myself—but this actually took away my breath.

"Really, madam," I answered, "you pay a very ill-compliment to my gray hairs, and would fain make me a very ill return for the service I have done you, when you ask me to lend a hundred pounds to a young lady who owns to having forged to the extent of one thousand two hundred pounds, and to owing eight hundred pounds besides. I wished to save a personage of your years and position from a disgraceful career; but I am too good a trustee for my children to lend money to anybody in such a dangerous position as yourself."

"Oh!" she answered, quite unabashed, without a trace of the fearful, tender pleading of the previous week's interview—quite as if I had been an accomplice, "I can give you excellent security."

"That alters the case; I can lend any amount on good security."

"Well, sir, I can get the acceptance of three friends of ample means."

"Do you mean to tell me, Miss Snape, that you will write

down the names of three parties who will accept a bill for one hundred pounds for you ?"

Yes, she could, and did actually write down the names of three distinguished men. Now I knew for certain, that not one of those noblemen would have put his name to a bill on any account whatever for his dearest friend; but, in her unabashed self-confidence, she thought of passing another forgery *on me*. I closed the conference by saying, "I cannot assist you;" and she retired with the air of an injured person. In the course of a few days, I heard from Mr. Axminster, that his liability of one hundred pounds had been duly honored.

In my active and exciting life, one day extinguishes the recollection of the events of the preceding day; and, for a time, I thought no more about the fashionable forger. I had taken it for granted that, heartily frightened, although not repenting, she had paused in her felonious pursuits.

My business one day led me to the establishment of one of the most wealthy and respectable legal firms in the city, where I am well known, and, I believe, valued; for at all times I am most politely, I may say, most cordially received. Mutual profits create a wonderful freemasonry between those who have not any other sympathy or sentiment. Politics, religion, morality, difference of rank, are all equalized and republicanized by the division of an account. No sooner had I entered the *sanctum*, than the senior partner, Mr Precepts, began to quiz his junior, Mr. Jones, with, "Well, Jones must never joke friend Discount any more about usury. Just imagine," he continued, addressing me, "Jones has himself been discounting a bill for a lady; and a deuced pretty one too. He sat next her at dinner in Grosvenor Square, last week. Next day she gave him a call here, and he could not refuse her extraordinary re-

quest. Gad, it is hardly fair for Jones to be poaching on your domains of West-End paper!"

Mr. Jones smiled quietly, as he observed, "Why, you see, she is the niece of one of our best clients; and really I was so taken by surprise, that I did not know how to refuse.".

"Pray," said I, interrupting his excuses, "does your young lady's name begin with S.? Has she not a very pale face, and cold gray eye?"

The partners stared.

"Ah! I see it is so; and can at once tell you that the bill is not worth a rush."

"Why, you don't mean ——?"

"I mean simply that the acceptance is, I'll lay you a wager, a forgery."

"A forgery!"

"A forgery," I repeated as distinctly as possible.

Mr. Jones hastily, and with broken ejaculations, called for the cash-box. With trembling hands he took out the bill, and followed my finger with eager, watchful eyes, as I pointed out the proofs of my assertion. A long pause was broken by my mocking laugh; for, at the moment, my sense of politeness could not restrain my satisfaction at the signal defeat which had attended the first experiment of these highly respectable gentlemen in the science of usury.

The partners did not have recourse to the police. They did not propose a consultation with either Mr. Forrester or Mr. Field; but they took certain steps, under my recommendation; the result of which was that at an early day, an aunt of the Honorable Miss Snape was driven, to save so near a connection from transportation, to sell out some fourteen hundred pounds of stock, and all the forgeries were taken up.

One would have thought that the lady who had thus so narrowly escaped, had had enough—but forgery, like opium-eating, is one of those charming vices which is never abandoned, when once adopted. The forger enjoys not only the pleasure of obtaining money so easily, but the triumph of befooling sharp men of the world. Dexterous penmanship is a source of the same sort of pride as that which animates the skillful rifleman, the practiced duellist, or well-trained billiard-player. With a clean Gillott he fetches down a capitalist, at three or six months, for a cool hundred or a round thousand; just as a Scrope drops over a stag at ten, or a Gordon Cumming a monstrous male elephant at a hundred paces.

As I before observed, my connection especially lies among the improvident—among those who will be ruined—who are being ruined—and who have been ruined. To the last class belongs Francis Fisherton, once a gentleman, now without a shilling or a principle; but rich in mother-wit—in fact, a *farceur*, after Paul de Kock's own heart. Having in by-gone days been one of my willing victims, he occasionally finds pleasure and profit in guiding others through the gate he frequented, as long as able to pay the tolls. In truth, he is what is called a "discount agent."

One day I received a note from him, to say that he would call on me at three o'clock the next day to introduce a lady of family, who wanted a bill "done" for one hundred pounds. So ordinary a transaction merely needed a memorandum in my diary, "Tuesday, 3 P.M.; F. F., £100 Bill." The hour came and passed; but no Frank, which was strange—because every one must have observed, that, however dilatory people are in paying, they are wonderfully punctual when they expect to receive money.

At five o'clock, in rushed my Jackall. His story, disentangled from oaths and ejaculations, amounted to this:—In answer to one of the advertisements he occasionally addresses "To the Embarrassed," in the columns of the "Times," he received a note from a lady, who said she was anxious to get a "bill done"—the acceptance of a well-known man of rank and fashion. A correspondence was opened, and an appointment made. At the hour fixed, neatly shaved, brushed, gloved, booted—the revival, in short, of that high-bred Frank Fisherton who was so famous

"In his hot youth, when Crockford's was the thing,"

glowing with only one glass of brandy, "just to steady his nerves," he met the lady at a West-End pastry-cook's.

After a few words (for all the material questions had been settled by correpondence) she stepped into a brougham, and invited Frank to take a seat beside her. Elated with a compliment of late years so rare, he commenced planning the orgies which were to reward him for weeks of enforced fasting, when the coachman, reverentially touching his hat, looked down from his seat for orders.

"To ninety-nine, George Street, St. James," cried Fisherton, in his loudest tones.

In an instant the young lady's pale face changed to scarlet, and then to ghastly green. In a whisper, rising to a scream, she exclaimed, "Good heavens! you do not mean to go to *that* man's house," (meaning me.) "Indeed, I cannot go to him, on any account; he is a most horrid man, I am told, and charges most extravagantly."

"Madam," answered Frank, in great perturbation, "I beg your pardon, but you have been grossly misinformed. I have

known that excellent man these twenty years, and have paid him hundreds on hundreds; but never so much by ten per cent. as you offered me for discounting your bill."

"Sir, I cannot have anything to do with your friend." Then, violently, pulling the check-string, "Stop," she gasped, "and *will you* have the goodness to get out?"

"And so I got out," continued Fisherton, "and lost my time; and the heavy investment I made in getting myself up for the assignation—new primrose gloves, and a shilling to the hair-dresser—hang her! But, did you ever know anything like the prejudices that must prevail against you? I am disgusted with human nature. Could you lend me half a sovereign till Saturday?"

I smiled; I sacrified the half sovereign, and let him go, for he is not exactly the person to whom it was advisable to intrust all the secrets relating to the Honorable Miss Snape. Since that day I look each morning in the police reports with considerable interest; but, up to the present hour, the Honorable Miss Snape has lived and thrived in the best society.

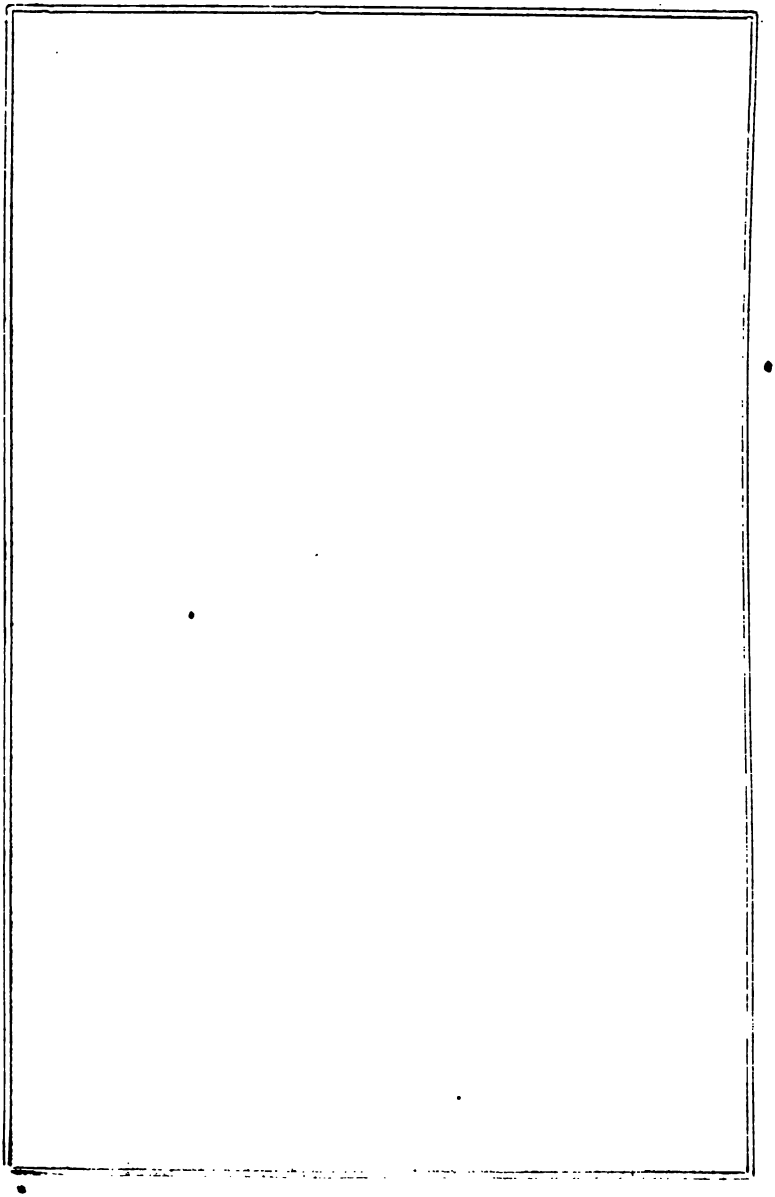
ABUSES OF ENGLISH LAW.

BY

CHARLES DICKENS

FROM

"HOUSEHOLD WORDS."



THE MARTYRS OF CHANCERY.

In Lambeth Marsh stands a building better known than honored. The wealthy merchant knows it as the place where an unfortunate friend, who made that ruinous speculation during the recent sugar-panic, is now a denizen; the man-about-town knows it as a spot to which several of his friends have been driven, at full gallop, by fleet race-horses and dear dog-carts; the lawyer knows it as the "last scene of all," the catastrophe of a large proportion of law-suits; the father knows it as a bug-bear wherewith to warn his scapegrace spendthrift son; but the uncle knows it better as the place whence nephews date protestations of reform and piteous appeals, "this once," for bail. Few, indeed, are there who has not heard of the Queen's Prison, or, as it is more briefly and emphatically termed, "The Bench!"

Awful sound! What visions of folly and roguery, of sloth and seediness, of ruin and recklessness, are conjured up to the imagination in these two words! It is the "Hades" of commerce—the "Inferno" of fortune. Within its grim walls—surmounted by a chevaux de frise, classically termed "Lord Ellenborough's teeth"—dwell at this moment members of almost every class of society. Debt—the grim incubus riding on the shoulders of his victim, like the hideous old man in the Eastern fable—has here his captives safely under lock and key, and within fifty-feet walls. The church, the army, the navy, the bar, the press, the turf, the trade of England, have each and all their representatives in this "house." Every grade, from the ruined man of fortune, to the petty tradesman who has been undone by giving

credit to others still poorer than himself, sends its members to this Bankrupts' Parliament.

Nineteen-twentieths in this Royal House of Detention owe their misfortunes directly or indirectly to themselves; and, for them, every free and prosperous man has his cut-and-dry moral, or scrap of pity, or screed of advice; but there is a proportion of prisoners—happily a small one—within those huge brick boundaries, who have committed no crime, broken no law, infringed no commandment. They are the victims of a system which has been bequeathed to us from the dark days of the "Star Chambers" and "Courts of High Commission"—we mean the Martyrs of Chancery.

These unhappy persons were formerly confined in the Fleet Prison, but on the demolition of that edifice, were transferred to the Queen's Bench. Unlike prisoners of any other denomination, they are frequently ignorant of the cause of their imprisonment, and more frequently still, are unable to obtain their liberation by any acts or concessions of their own. There is no act of which they are permitted to take the benefit—no door left open for them in the Court of Bankruptcy. A Chancery prisoner is, in fact, a far more hopeless mortal than a convict sentenced to transportation; for the latter knows that at the expiration of a certain period, he will, in any event, be a free man. The Chancery prisoner has no such certainty; he may, and he frequently does, waste a life-time in the walls of a jail, whither he was sent in innocence—because, perchance, he had the ill-luck to be one of the next of kin of some testator who made a will which no one could comprehend, or the heir of some intestate who made none. Any other party interested in the estate commences a Chancery suit, which he must defend or be committed to prison for "contempt." A prison is his portion, what-

ever he does; for, if he answers the bill filed against him, and cannot pay the costs, he is also clapped in jail for "contempt." Thus, what in ordinary life is but an irrepressible expression of opinion or a small discourtesy, is, "in Equity," a high crime, punishable with imprisonment—sometimes perpetual. Whoever is pronounced guilty of contempt in a Chancery sense, is taken from his family, his profession, or his trade, (perhaps his sole means of livelihood,) and consigned to a jail where he must starve, or live on a miserable pittance of three shillings and sixpence a week, charitably doled out to him from the county rate.

Disobedience of an order of the Court of Chancery—though that order may command you to pay more money than you ever had, or to hand over property which is not yours and was never in your possession—is contempt of court. No matter how great soever your natural reverence for the time-honored institutions of your native land—no matter, though you regard the Lord High Chancellor of Great Britain as the most wonderful man upon earth, and his court as the purest fount of Justice, where she sits weighing out justice with a pair of Oertling's balances, you may yet be pronounced to have been guilty of "contempt." For this there is no pardon. You are in the catalogue of the doomed, and are doomed accordingly.

A popular fallacy spreads a notion that no one need "go into Chancery," unless he pleases. Nothing but an utter and happy innocence of the bitter irony of "Equity" proceedings keeps such an idea current. Men have been imprisoned for many years, some for a life-time, on account of Chancery proceedings, of the very existence of which they were almost in ignorance before they "somehow or other were found in contempt."

See yonder slatternly old man in threadbare garments, with

pinched features telling of long years of anxiety and privation, and want. He has a weak, starved voice, that sounds as though years of privation have shrunk it as much as his cheeks. He always looks cold, and (God help him) feels so too; for Liebig tells us that no quantity of clothing will repel cold without the aid of plenty of food—and little of that passes his lips. His eye has an unquiet, timid, half-frightened look, as if he could not look you straight in the face for lack of energy. His step is a hurried shuffle, though he seldom leaves his room; and when he does, he stares at the racket-players as if they were beings of a different race from himself. No one ever sees his hands—they are plunged desperately into his pockets, which never contain anything else. He is like a dried fruit, exhausted, shrunken, and flung aside by the whole world. He is a man without hope—a Chancery prisoner! He has lived in a jail for twenty-eight weary years! His history has many parallels. It is this:—

It was his misfortune to have an uncle, who died leaving him his residuary legatee. The uncle, like most men who make their own wills, forgot an essential part of it—he named no executor. Our poor friend administered, and all parties interested received their dues—he, last of all, taking but a small sum. It was his only fortune, and having received it he looked about for an investment. There were no railways in those days, or he might have speculated in the Diddlesex Junction. But there were Brazilian Mining Companies, and South Sea Fishing Companies, and various other companies, comprehensively termed "Bubble." Our friend thought these companies were not safe, and he was quite right in his supposition! So he determined to intrust his money to no bubble speculation; but to invest it in Spanish Bonds. After all, our

poor friend had better have tried the Brazilian Mines; for the Bonds proved worth very little more than the paper on which they were written. His most Catholic Majesty did not repudiate, (like certain transatlantic States,) but buttoned up his pockets and told his creditors he had "no money."

Some five years after our friend was startled by being requested to come up to Doctors' Commons, and tell the worthy Civilians there all about his uncle's will—which one of the legatees, after receiving all he was entitled to under it, and probably spending the money—suddenly took it into his head to dispute the validity of. Meanwhile the Court of Chancery also stepped in, and ordered him (pending the ecclesiastical suit) to pay over into court "that little trifle" he had received. What could the poor man do? His Catholic Majesty had got the money—he, the legatee, had not a farthing of it, nor of any other money whatsoever. He was in contempt! An officer tapped him on the shoulder, displayed a little piece of parchment, and he found that he was the victim of an unfortunate "attachment." He was walked to the Fleet Prison, where, and in the Queen's Prison, he has remained ever since —a period of twenty-eight years! Yet no less a personage than a Lord Chancellor has pronounced his opinion that the will, after all, was a good and valid will—though the little family party of Doctors' Commons thought otherwise.

There is another miserable-looking object yonder—greasy, dirty, and slovenly. He, too, is a Chancery prisoner. He has been so for twenty years. Why, he has not the slightest idea. He can only tell you that he was found out to be one of the relations of some one who had left "a good bit of money." The lawyers "put the will into Chancery; and at last I was ordered to do something or other, I can't recollect

what, which I was also told I couldn't do nohow if I would. So they said I was in contempt, and they took and put me into the Fleet. It's a matter of twenty years I have been in prison; of course I'd like to get out, but I'm told there's no way of doing it anyhow." He is an artisan, and works at his trade in the prison, by which he gains just enough to keep him, without coming upon the county-rate.

In that room over the chapel is the infirmary. There was a death lately. The deceased was an old man of sixty-eight, and nearly blind; he had not been many years in prison, but the confinement, and the anxiety, and the separation from his family, had preyed upon his mind and body. He was half-starved, too; for after being used to all the comforts of life, he had to live in jail on sixpence a-day. Yet there was one thousand pounds in the hands of the Accountant-General of the Court of Chancery, which was justly due to him. He was in contempt for not paying some three hundred pounds. But Death purged his contempt, and a decree was afterwards made for paying over the one thousand pounds to his personal representatives; yet himself had died, for want of a twentieth part of it, of slow starvation!

It must not, however, be supposed that Chancery never releases its victims. We must be just to the laws of "Equity." There is actually a man now in London whom they have positively let out of prison! They had, however, prolonged his agonies during seventeen years. He was committed for contempt in not paying certain costs, as he had been ordered. He appealed from the order; but until his appeal was heard, he had to remain in durance vile. The Court of Chancery, like all dignified bodies, is never in a hurry; and, therefore, from having no great influence, and a very small stock of money to

forward his interest, the poor man could only get his cause finally heard and decided on in December, 1849—seventeen years from the date of his imprisonment. And, after all, the Court decided that the original order was wrong; so that he had been committed for seventeen years *by mistake!*

How familiar to him must have been the face of that poor, tottering man, creeping along to rest on the bench under the wall yonder. He is very old, but not so old as he looks. He is a poor prisoner, and another victim to Chancery. He has long ago forgotten, if he ever knew, the particulars of his own case, or the order which sent him to a jail. He can tell you more of the history of this gloomy place and its defunct brother, the Fleet, than any other man. He will relate you stories of the "palmy days" of the Fleet, when great and renowned men were frequently its denizens; when soldiers and sailors, authors and actors, whose names even then filled England with their renown, were prisoners within its walls; when whistling shops flourished and turnkeys were smugglers; when lodgings in the prison were dearer than rooms at the west-end of the town; and when a young man was not considered to have finished his education until he had spent a month or two in the Bench or the Fleet. He knows nothing of the world outside—it is dead to him. Relations and friends have long ceased to think of him, or perhaps even to know of his existence. Hi thoughts range not beyond the high walls which surround him, and probably if he had but a little better supply of food and clothing, he might almost be considered a happy man. But it is the happiness of apathy, not of the intelligence and the affections—the painless condition of a trance, rather than the joyous feeling which has hope for its bright-eyed minister. What has *he* to do with hope? He has

been thirty-eight years a Chancery prisoner. He is another out of twenty-four, still prisoners here, more than half of whom have been prisoners for above ten years, and not one of whom has any hope of release! A few have done something fraudulent in "contempt" of all law and equity; but is not even *their* punishment greater than their crime?

Let us turn away. Surely we have seen enough, though many other sad tales may be told, rivaling the horrors of Speilberg and French Lettres-de-cachet.

LAW AT A LOW PRICE.

Low, narrow, dark, and frowning are the thresholds of our . nns of Court. If there is one of these entrances of which I have more dread than another, it is that leading out of Holborn to Gray's Inn. I never remember to have met a cheerful face at it, until the other morning, when I encountered Mr. Ficker, attorney-at-law. In a few minutes we found ourselves arm in arm, and straining our voices to the utmost amid the noise of passing vehicles. Mr. Ficker stretched himself on tiptoe in a frantic effort to inform me that he was going to a County Court. "But perhaps you have not heard of these places?"

I assured Mr. Ficker that the parliamentary discussions concerning them had made me very anxious to see how justice was administered in these establishments for low-priced Law. "I am going to one now;" but he impressively added, "you must understand, that professionally I do not approve of their working. There can be no doubt that they seriously prejudice the regular course of law. Comparing the three quarters preceding with three quarters subsequent to the establishment of these Courts, there was a decrease of nearly 10,000 writs issued by the Court of Queen's Bench alone, or of nearly 12,500 on the year."

We soon arrived at the County Court. It is a plain, substantial looking building, wholly without pretension, but at the same time not devoid of some little architectural elegance of exterior. We entered, by a gateway far less austere than that of Gray's Inn, a long, well-lighted passage, on either side of which were

offices connected with the Court. One of these was the Summons Office, and I observed on the wall a "Table of Fees," and as I saw Mr. Ficker consulting it with a view to his own business, I asked him his opinion of the charges.

"Why," said he, "the scale of fees is too large for the client and too small for the lawyer. But suitors object less to the amount than to the intricacies and perplexities of the Table. In some districts the expense of recovering a sum of money is one-third more than it is in others; though in both the same scale of fees is in operation. This arises from the variety of interpretations which different judges and officers put upon the charges."

Passing out of the Summons Office, we entered a large hall, placarded with lists of trials for the ensuing week. There were more than one hundred of them set down for trial on nearly every day.

"I am glad," I said, "to think that this is not all additional litigation. I presume these are the thousands of causes a-year withdrawn from the superior Courts?"

"The skeletons of them," said Mr. Ficker, with a sigh. "There were some pickings out of the old processes; but I am afraid there is nothing but the bone here."

"I see here," said I, pointing to one of the lists, "a single plaintiff entered, as proceeding against six-and-twenty defendants in succession."

"Ah," said Mr. Ficker, rubbing his hands, "a knowing fellow that—quite awake to the business of these Courts. A cheap and easy way, sir, of recovering old debts. I don't know who the fellow is—a tailor, very likely—but no doubt you will find his name in the list in this way once every half-year. If his Midsummer and Christmas bills are not punctually paid, it is far cheaper to come here and get a summons served, than to send

all over London to collect the accounts, with the chance of not finding the customer at home. And this is one way, you see, in which we solicitors are defrauded. No doubt, this fellow formerly employed an attorney to write letters for him, requesting payment of the amount of his bill, and 6*s*. 8*d*. for the cost of the application. Now, instead of going to an attorney, he comes here and gets the summons served for 2*s*. A knowing hand that—a knowing hand."

"But," I said, "surely no respectable tradesman——"

"*Respectable*," said Mr. Ficker, "I said nothing about respectability. This sort of thing is very common among a certain class of trades-people, especially puffing tailors and boot-makers. Such people rely less on regular than on chance-custom, and therefore they care less about proceeding against those who deal with them."

"But," said I, "this is a decided abuse of the power of the Court. Such fellows ought to be exposed."

"Phoo, phoo," said Mr. Ficker; "they are, probably, soon known here, and then if the judge does his duty, they get bare justice, and nothing more. I am not sure, indeed, that sometimes their appearance here may not injure rather than be of advantage to them; for the barrister may fix a distant date for payment of a debt which the tradesman, by a little civility, might have obtained from his customer a good deal sooner."

"The Court" I found to be a lofty room, somewhat larger and handsomer than the apartment in which the Hogarths are hung up in the National Gallery. One-half was separated from the other by a low partition, on the outer side of which stood a miscellaneous crowd of persons who appeared to be waiting their turn to be called forward. Though the appearance of the Court was new and handsome, everything was plain and simple.

I was much struck by the appearance and manner of the Judge. He was comparatively a young man; but I fancied that he displayed the characteristics of experience. His attention to the proceedings was unwearied; his discrimination appeared admirable; and there was a calm self-possession about him that bordered upon dignity.

The suitors who attended were of every class and character. There were professional men, tradesmen, costermongers, and a peer. Among the plaintiffs, there were specimens of the considerate plaintiff, the angry plaintiff, the cautious plaintiff, the bold-swearing plaintiff, the energetic plaintiff, the practiced plaintiff, the shrewish (female) plaintiff, the nervous plaintiff, and the revengeful plaintiff. Each plaintiff was allowed to state his or her case in his or her own way, and to call witnesses, if there were any. When the debt appeared to be *primâ facie* proved, the Barrister turned to the defendant, and perhaps asked him if he disputed it?

The characteristics of the defendants were quite as different as the characteristics of the plaintiffs. There was the factious defendant, and the defendant upon principle—the stormy defendant, and the defendant who was timid—the impertinent defendant, and the defendant who left his case entirely to the Court—the defendant who would never pay, and the defendant who would if he could. The causes of action I found to be as multifarious as the parties were diverse. Besides suits by tradespeople for every description of goods supplied, there were claims for every sort and kind of service that can belong to humanity, from the claim of a monthly nurse, to the claim of the undertaker's assistant.

In proving these claims the Judge was strict in insisting that a proper account should have been delivered, and that the best

evidence should be produced as to the correctness of the items. No one could come to the court and receive a sum of money merely by swearing that "Mr. So-and-so owes me so much."

With regard to defendants, the worst thing they could do, was to remain away when summoned to attend. It has often been observed that those persons about whose dignity there is any doubt, are the most rigorous in enforcing its observance. It is with Courts as it is with men; and as Small Debt Courts are sometimes apt to be held in some contempt, I found the Judge here very prompt in his decision, whenever a defendant did not appear by self or agent. Take a case in point:—

Barrister (*to the Clerk of the Court*). Make an order in favor of the plaintiff.

Plaintiff's Attorney. Your honor will give us speedy recovery?

Barrister. Will a month do, Mr. Docket?

Plaintiff's Attorney. The defendant is not here to assign any reason for delay, your honor.

Barrister. Very well; then let him pay in a fortnight.

I was much struck, in some of the cases, by a friendly sort of confidence which characterized some of the proceedings. Here again the effect in a great measure was attributable to the Barrister. He seemed to act—as indeed he is—rather as an authorized arbitrator than as a judge. He advised rather than ordered; "I really think, he said, to one defendant, "I really think, sir, you have made yourself liable." "Do you, sir?" said the man, pulling out his purse, without more ado, "then, sir, I am sure I will pay."

It struck me, too, as remarkable, that though some of the cases were hotly contested, none of the defeated parties com-

plained of the decision. In several instances, the parties even appeared to acquiesce in the propriety of the verdict.

A Scotch shoeing-smith summoned a man who, from his appearance, I judged to be a hard, keen-dealing Yorkshire horse-jobber; he claimed a sum of money for putting shoes upon six-and-thirty horses. His claim was just, but there was an error in his particulars of demand which vitiated it. The Barrister took some trouble to point out that in consequence of this error, even if he gave a decision in his favor, he should be doing him an injury. The case was a hard one, and I could not help regretting that the poor plaintiff should be non-suited. Did *he* complain? Neither by word or action. Folding up his papers, he said, sorrowfully, "Well, sir, I assure you I would not have come here, if it had not been a just claim." The Barrister evidently believed him, for he advised a compromise, and adjourned the case that the parties might try to come to terms. But the defendant would not arrange, and the plaintiff was driven to elect a non-suit.

The mode of dealing with documentary evidence afforded me considerable satisfaction. Private letters—such as the tender effusions of faithless love—are not, as in the higher Courts, thrust one after the other, into the dirty face of a grubby-looking witness who was called to prove the handwriting, sent the round of the twelve jurymen in the box, and finally passed to the reporters that they might copy certain flowery sentences and a few stanzas from "Childe Harold," which the short-hand writers "could not catch," but are handed up, seriatim, to the Judge, who looks through them carefully and then passes them over without observation for the re-perusal of the defendant. Not a word transpires except such extracts as require comment.

There was a claim against a gentleman for a butcher's bill.

He had the best of all defences, for he had paid ready money for every item as it was delivered. The plaintiff was the younger partner of a butchering firm which had broken up, leaving him in possession of the books and his partner in possession of the credit. The proprietor of the book-debts proved the order and delivery of certain joints prior to a certain date, and swore they had not been paid for. To show his title to recover the value of them, he somewhat unnecessarily thrust before the Barrister, the deed which constituted him a partner. The Judge instantly compared the deed with the bill. "Why," he said, turning to the butcher, "all the items you have sworn to were purchased anterior to the date of your entering into partnership. If any one is entitled to recover, it is your partner, whom the defendant alleges he has paid." In one, as they are called, of the "Superior Courts," I very much doubt whether either Judge or Jury would have discovered for themselves this important discrepancy.

The documentary evidence was not confined to deeds and writings, stamped or unstamped. Even during the short time I was present, I saw some curious records produced before the Barrister—records as primitive in their way as those the Chancellor of the Exchequer used to keep in the Tally-Office, before the comparatively recent introduction of book-keeping into the department of our national accountant.

Among other things received in evidence, were a milkwoman's score and a baker's notches. Mr. Ficker appeared inclined to think that no weight ought to be attached to such evidence as this. But, when I recollect that there have occasionally been such things as tombstones produced in evidence before Lord Volatile in his own particular Court, the House of Lords, ("the highest jurisdiction," as they call it, "in the realm,") I see no good reason why Mrs. Chalk, the milkwoman, should not be per-

mitted to produce her tallies in a County Court. For every practical purpose the score upon the one seems just as good a document as the epitaph upon the other.

I was vastly pleased by the great consideration which appeared to be displayed towards misfortune and adversity. These Courts are emphatically Courts for the *recovery* of debts; and inasmuch as they afford great facilities to plaintiffs, it is therefore the more incumbent that defendants should be protected against hardship and oppression. A man was summoned to show why he had not paid a debt pursuant to a previous order of the Court. The plaintiff attended to press the case against him, and displayed some rancor.

"Why have you not paid, sir?" demanded the Judge sternly.

"Your honor," said the man, "I have been out of employment six months, and within the last fortnight everything I have in the world has been seized in execution."

In the Superior Courts this would have been no excuse. The man would probably have gone to prison, leaving his wife and family upon the parish. But here that novel sentiment in law proceedings—sympathy—peeped forth.

"I believe this man would pay," said the Barrister, "if possible. But he has lost everything in the world. At present I shall make no order."

It did not appear to me that the plaintiffs generally in this Court were anxious to press very hardly upon defendants. Indeed it would be bad policy to do so. Give a man time, and he can often meet demands that it would be impossible for him to defray if pressed at once.

"Immediate execution" in this Court, seemed to be payment within a fortnight. An order to pay in weekly installments is a common mode of arranging a case, and as it is usually made by

agreement between the parties, both of them are satisfied. In fact, the rule of the Court seemed not dissimilar from that of trades-people who want to do a quick business, and who proceed upon the principle that "No reasonable offer is refused."

I had been in the Court sufficiently long to make these and other observations, when Mr. Ficker introduced me to the clerk. On leaving the Court by a side-door, we repaired to Mr. Nottit's room, where we found that gentleman (an old attorney) prepared to do the honors of "a glass of sherry and a biscuit." Of course the conversation turned upon "the County Court."

"Doing a pretty good business here?" said Mr. Ficker.

"Business—we're at it all day," replied Mr. Nottit. "I'll show you. This is an account of the business of the County Courts in England and Wales in the year 1848—the account for 1849 is not yet made up."

"Take six months, I suppose, to make it," said Mr. Ficker, rather ill-naturedly.

"Total 'Number of Plaints or Causes entered,'" read the clerk, "427,611."

"Total amount of money sought to be recovered by the plaintiffs," continued Mr. Nottit, "£1,346,802."

"Good gracious!" exclaimed Ficker, his face expressing envy and indignation; "what a benefit would have been conferred upon society, if all this property had been got into the legitimate Law Courts! What a benefit to the possessors of all this wealth! I have no doubt whatever that during the past year the suitors, who have recovered this million and a quarter, have spent the whole of it, squandered it upon what they called "necessaries of life." Look at the difference if it had only been locked up for them—say in Chancery. It would have been pre-

served with the greatest possible safety; accounted for—every fraction of it—in the books of the Accountant-General; and we, sir, we—the respectable practitioners in the profession—should have gone down three or four times every year to the Master's offices to see that it was all right, and to have had a little consultation as to the best means of holding it safely for our client, until his suit was properly and equitably disposed of."

"But, perhaps, Ficker," I suggested, "these poor clients make better use of their own money after all than the Courts of Law and Equity could make it for them."

"Then the costs," said Mr. Ficker, with an attorney's ready eye to business, "let us hear about them."

"The total amount of costs adjudged to be paid by defendants on the amount (£752,500) for which judgment was obtained, was £199,980," was the answer—"being an addition of 26.5 per cent. on the amount ordered to be paid."

"Well," said Mr. Ficker, "that's not so very bad. Twenty-five per cent.," turning to me, "is a small amount undoubtedly for the costs of an action duly brought to trial; but, as the greater part of these costs are costs of Court, twenty-five per cent. cannot be considered inadequate."

"It seems to me a great deal too much," said I. "Justice ought to be much cheaper."

"All the fees to counsel and attorneys are included in the amount," remarked the clerk, "and so are allowances to witnesses. The fees on causes amounted to very nearly £300,000. Of this sum, the Officers' fees were, in 1848, £234,274, and the General Fund fees £51,784."

"Not so bad!" said Mr. Ficker, smiling.

"The Judges' fees amounted to nearly £90,000. This would have given them all £1500 each; but the Treasury has fixed

their salaries at a uniform sum of £1000, so that the sixty Judges only draw £60,000 of the £90,000."

"Where does the remainder go?" I inquired.

The County Court Clerk shook his head.

"But you don't mean," said I, "that the suiters are made to pay £90,000 a-year for what only costs £60,000?"

"I am afraid it is so," said Mr. Nottit.

"Dear me!" said Mr. Ficker; "I never heard of such a thing in all my professional experience. I am sure the Lord Chancellor would never sanction that in his Court. You ought to apply to the Courts above, Mr. Nottit—you ought, indeed."

"And yet," said I, "I think I have heard something about a Suitors' Fee Fund in those Courts above—eh, Ficker?"

"Ah—hem—yes," said Mr. Ficker. "Certainly—but the cases are not at all analogous. By the way, how are the other fees distributed?"

"The Clerks," said Mr. Nottit, "received £87,283, nearly as much as the Judges. As there are 491 clerks, the average would be £180 a-year to each. But as the Clerks' fees accumulate in each Court according to the business transacted, of course the division is very unequal. In one Court in Wales the Clerk only got £8 10*s.* in fees; in another Court, in York shire, his receipts only amounted to £9 4*s.* 3*d.* But some of my colleagues made a good thing of it. The Clerks' fees in some of the principal Courts are very 'Comfortable.'

"The Clerk of Westminster netted £2731
Clerkenwell 2227
Southwark 1710

Bristol, Sheffield, Bloomsbury, Birmingham, Shoreditch, Leeds. Marylebone, received £1000 a-year and upwards."

"But," continued our friend, "three-fourths of the Clerks get less than £100 a-year."

"Now," said Mr. Ficker, "tell us what you all do for this money?"

"Altogether, said the clerk, "the Courts sat in 1848, 8,386 days, or an average for each Judge of 140 days. The greatest number of sittings was in Westminster, where the Judge sat 246 days. At Liverpool, there were sittings on 225 days. The number of trials, as I have before mentioned, was 259,118, or an average of about 4,320 to each Judge, and 528 to each Court. In some of the Courts, however, as many as 20,000 cases are tried in a year."

"Why," said Mr. Ficker, "they can't give five minutes to each case! Is this 'administration of justice?'"

"When," said the clerk, "a case is undefended, a plaintiff appears, swears to his debt, and obtains an order for its payment, which takes scarcely two minutes."

"How long does a defended case take?"

"On the average, I should say, a quarter of an hour; that is, provided counsel are not employed."

"Jury cases occupy much longer?"

"Undoubtedly."

"Are the jury cases frequent?" I inquired—some feeling of respect for 'our time-honored institution' coming across me as I spoke.

"Nothing," said our friend, "is more remarkable in the history of the County Courts than the very limited resort which suitors have to juries. It is within the power of either party to cause the jury to be summoned in any case where the plaint is upwards of £5 The total number of cases tried in 1848 was 259,118. Of these, upwards of 50,000 were cases in which

juries might have been summoned. But there were only 884 jury cases in all the Courts, or one jury for about every 270 trials! The party requiring the jury obtained a verdict in 446 out of the 884 cases, or exactly one-half.

"At any rate, then, there is no imputation on the juries," said Mr. Ficker.

"The power of resorting to them is very valuable," said our friend. "There is a strong disposition among the public to rely upon the decision of the Barrister, and that reliance is not without good foundation, for certainly justice in these Courts have been well administered. But there may be occasions when it would be very desirable that a jury should be interposed between a party to a cause and the presiding Judge; and certainly if the jurisdiction of these Courts is extended, it will be most desirable that suitors should be able to satisfy themselves that every opportunity is open to them of obtaining justice."

"For my own part," said I, "I would as soon have the decision of one honest man as of twelve honest men, and perhaps I would prefer it. If the Judge is a liberal-minded and enlightened man, I would rather take his judgment than submit my case to a dozen selected by chance, and among whom there would most probably be at least a couple of dolts. By the way, why should not the same option be given to suitors in Westminster Hall as is given in the County Courts?"

"What!" exclaimed Mr. Ficker, "abolish trial by Jury! the palladium of British liberty! Have you *no* respect for antiquity?"

"We must adapt ourselves to the altered state of society, Ficker. Observe the great proportion of cases *tried* in these Courts—more than sixty per cent. of the entire number of

plaints entered. This is vastly greater than the number in the Superior Courts, where there is said to be scarcely one cause tried for fifty writs issued. Why is this? Simply because the cost deters parties from continuing the actions. They settle rather than go to a jury."

"And a great advantage, too," said Mr. Ficker.

"Under the new bill," said our friend, the Clerk, "Ficker's client's will all be coming to us. They will be able to recover £50 in these Courts, without paying Ficker a single 6*s.* 8*d.* unless they have a peculiar taste for law expenses."

"And a hideous amount of rascality and perjury will be the consequence," said Mr. Ficker. "You will make these Courts mere Plaintiffs' Courts, sir—Courts to which every rogue will be dragging the first man who he thinks can pay him £50, if he only swears hard enough that it is due to him. I foresee the greatest danger from this extension of litigation, under the pretence of providing cheap law.

"Fifty pounds," said I, "is, to a large proportion of the people, a sum of money of very considerable importance. I must say, I think it would be quite right that inferior courts should not have the right of dealing with so much of a man's property, without giving him a power of appeal, at least under restrictions. But, at the same time, looking at the satisfactory way in which this great experiment has worked—seeing how many righteous claims have been established and just defences maintained, which would have been denied under any other system—I cannot but hope to see the day when, attended by proper safeguards for the due administration of justice, these Courts will be open to even a more numerous class of suitors than at present. It is proposed that small Charitable Trust cases shall be submitted to the Judges of these Courts; why

not also refer to them cases in which local magistrates cannot now act without suspicion of partisanship?—cases, for example, under the Game Laws, or the Turnpike Laws, and, more than all, offences against the Truck Act, which essentially embody matters of account. Why not," said I, preparing for a burst of eloquence—"why not ——"

"Overthrow at once the Seat of Justice, the Letter of the Law, and our glorious constitution in Church and State!"

It was Mr. Ficker who spoke, and he had rushed frantically from the room ere I could reply.

Having no one to argue the point further with, I made my bow to Mr Nottit and retired also.

THE LAW.

THE most litigious fellow I ever knew, was a Welshman, named Bones. He had got possession, by some means, of a bit of waste ground behind a public-house in Hogwash Street. Adjoining this land was a yard belonging to the parish of St. Jeremiah, which the Parish Trustees were fencing in with a wall. Bones alleged that one corner of their wall was advanced about ten inches on his ground, and as they declined to remove it back, he kicked down the brick-work before the mortar was dry. The Trustees having satisfied themselves that they were not only within their boundary, but that they had left Bones some feet of the parish land to boot, built up the wall again. Bones kicked it down again.

The Trustees put it up a third time, under the protection of a policeman. The inexorable Bones, in spite of the awful presence of this functionary, not only kicked down the wall again, but kicked the brick-layers into the bargain. This was too much, and Bones was marched off to Guildhall for assaulting the brick-layers. The magistrate rather pooh-poohed the complaint, but bound over Bones to keep the peace. The *causa belli*, the wall, was re-edified a fourth time; but when the Trustees revisited the place next morning, it was again in ruins! While they were in consultation upon this last insult, they were politely waited on by an attorney's clerk, who served them all with "writs" in an action of trespass, at the suit of Bones, for encroaching on his land.

Thus war was declared about a piece of dirty land literally

not so big as a door-step, and the whole fee-simple of which would not sell for a shilling. The Trustees, however, thought they ought not to give up the rights of the parish to the obstinacy of a perverse fellow, like Bones, and resolved to indict Bones for assaulting the workmen. Accordingly, the action and the indictment went on together.

The action was tried first, and as the evidence clearly showed the Trustees had kept within their own boundary, they got the verdict. Bones moved for a new trial; that failed. The Trustees now thought they would let the matter rest, as it had cost the parish about one hundred and fifty pounds, and they supposed Bones had had enough of it. But they had mistaken their man. He brought a writ of error in the action, which carried the cause into the Exchequer Court, and tied it up nearly two years, and in the meantime he forced them *nolens volens* to try the indictment. When the trial came on, the judge said, that as the whole question had been decided in the action, there was no occasion for any further proceedings, and therefore the Defendant had better be acquitted, and so make an end of it.

Accordingly, Bones was acquitted; and the very next thing Bones did was to sue the Trustees in a new action, for maliciously instituting the indictment against him without reasonable cause! The new action went on to trial; and it being proved that one of the Trustees had been overheard to say that they would punish him; this was taken as evidence of malice, and Bones got a verdict for forty shillings damages besides all the costs. Elated with this victory, Bones pushed on his old action in the Exchequer Chamber to a hearing, but the Court affirmed the judgment againt him, without hearing the Trustees' counsel.

The Trustees were now sick of the very name of Bones, which had become a sort of bugbear, so that if a Trustee met a friend in the street he would be greeted with an inquiry after the health of his friend, Mr. Bones. They would have gladly let the whole matter drop into oblivion, but Jupiter and Bones had determined otherwise; for the indomitable Briton brought a Writ of Error in the House of Lords, on the judgment of the Exchequer Chamber. The unhappy Trustees had caught a Tartar, and follow him into the Lords they must. Accordingly, after another year or two's delay, the case came on in the Lords. Their Lordships pronounced it the most trumpery Writ of Error they had ever seen, and again affirmed the judgment, with costs, against Bones. The Trustees now taxed their costs, and found that they had spent not less than five hundred pounds in defending their claims to a bit of ground that was not of the value of an old shoe. But, then, Bones was condemned to pay the costs. True—so they issued execution against Bones; caught him, after some trouble, and locked him up in jail. The next week, Bones petitioned the Insolvent Court, got out of prison, and, on examination of his schedule, his effects appeared to be £0 0*s.* 0*d.*! Bones had, in fact, been fighting the Trustees on credit for the last three years; for his own attorney was put down as a creditor to a large amount, which was the only satisfaction the Trustees obtained from perusing his schedule.

They were now obliged to have recourse to the Parish funds to pay their own law expenses, and were consoling themselves with the reflection that these did not come out of *their own pockets*—when they received the usual notification that a Bill in Chancery had been filed against them, at Mr. Bones's suit, to overhaul their accounts with the parish, and *prevent the misap-*

plication of the Parish money to the payment of their law costs! This was the climax. And being myself a disciple of Coke, I have heard nothing further of it; being unwilling, as well perhaps as unqualified, to follow the case into the labyrinthic vaults of the Court of Chancery. The catastrophe, if this were a tale, could hardly be mended—so the true story may end here

THE DUTIES OF WITNESSES AND JURYMEN.

I AM not a young man, and have passed much of my life in our Criminal Courts. I am, and have been, in active practice at the Bar, and I believe myself capable of offering some hints toward an improved administration of justice.

I do not allude to any reform in the law, though I believe much to be needed. I mean to confine myself to amendments which it is in the power of the people to make for themselves, and indeed, which no legistature, however enlightened, can make for them.

In no country can the laws be well administered, where the popular mind stands at a low point in the scale of intelligence, or where the moral tone is lax. The latter defect is of course the most important, but it is so intimately connected with the former, that they commonly prevail together, and the causes which remove the one, have, almost without exception, a salutary effect upon the other.

That the general diffusion of morals and intelligence is essential to the healthy working of jurisprudence in all countries, will be admitted, when it is recollected that no tribunal, however skillful, can arrive at the truth by any other way than by the testimony of witnesses, and that consequently on their trustworthiness the enjoyment of property, character, and life, must of necessity depend.

Again, wherever trial by jury is established, a further demand arises for morals and intelligence among the people. It follows then, as a consequence almost too obvious to justify the remark,

that whatever in any country enlarges and strengthens these great attributes of civilization, raises its capacity for performing that noblest duty of social man, the administration of justice.

Let me first speak of witnesses and their testimony. It is sometimes supposed that the desire to be veracious is the only quality essential to form a trustworthy witness—and an essential quality it is beyond all doubt—but it is possessed by many who are nevertheless very unsafe guides to truth. In the first place, this general desire for truth in a mind not carefully regulated, is apt to give way, oftentimes unconsciously, to impressions which overpower habitual veracity. It may be laid down as a general rule that witnesses are partisans, and that, often without knowing it, their evidence takes a color from the feeling of partisanship, which gives it all the injurious effects of willful falsehood—nay, it is frequently more pernicious. The witness who knowingly perverts the truth, often betrays his mendicity by his voice, his countenance, or his choice of words; while the unconscious perverter gives his testimony with all the force of sincerity. Let the witness who intends to give evidence worthy of confidence, be on his guard against the temptations to become a partisan. Witnesses ought to avoid consorting together on the eve of a trial; still more, discussing the matters in dispute, and comparing their intended statements. Musicians have observed that if two instruments, not in exact accordance, are played together, they have a tendency to run into harmony. Witnesses are precisely such instruments, and act on each other in like manner.

So much with regard to the moral tone of the witness; but the difficulties which I have pointed out may be surmounted, and yet leave his evidence a very distorted narrative of the real facts. Consideration must be given to the intellectual requirements of a witness. It was the just remark of Dr. Johnson that

complaints of the memory were often very unjust toward that faculty which was reproached with not retaining what had never been confided to its care. The defect is not a failure of memory. but a lack of observation; the ideas have not run out of the mind—they never went into it.

This is a deficiency, which cannot be dealt with in any special relation to the subject in hand; it can only be corrected by cultivating a general habit of observation, which, considering that the dearest interests of others may be imperiled by errors arising out of the neglect to observe accurately, must be looked upon in the light of a duty.

A still greater defect is the absence of the power of distinguishing fact and inference. Nothing but a long experience in Courts of Justice, can give a notion of the extent to which testimony is adulterated by this defect. It is often exemplified in the depositions of witnesses, or rather in the comparison between the depositions which, as your readers know, are taken in writing before the committing magistrate, and the evidence given on the trial.

Circumstances on which the witness had been silent when examined before the magistate shortly after the event, make their appearance in his evidence on the day of trial; so that his memory purports to augment inaccuracy in proportion to their time which has elapsed since the transaction of which he speaks!

I have observed this effect produced in a marvelous degree in cases of new trial, which in civil suits are often awarded, and which frequently take place years after the event to which they relate. The comparison of the evidence of the same witness as it stands upon the short-hand writer's notes of the two trials, would lead an unpracticed reader to the conclusion that nothing but perjury could account for the diversities; and this impression

would be confirmed, if he should find, as in all probability he would, that the points on which the latter memory was better supplied than the earlier, were just those on which the greatest doubt had prevailed on the former occasion, and which were made in favor of the party on whose side the witness had been called. But the critic would be mistaken. The witness was not dishonest, but had failed to keep watch over the operations of his own mind. He had perhaps often adverted to the subject, and often discoursed upon it, until at length he confounded the facts which had occurred, with the inference which he had drawn from such facts, in establishment of the existence of others, which had in reality no place except in his own cogitation, but which after a time took rank in his memory with its original impressions.

The best safeguard a witness could employ to preserve the unalloyed memory of transactions, is to commit his narrative to writing, as soon after the event as he shall have learned that his evidence repecting them is likely to be required; and yet I can hardly recommend such a course, because so little is the world, and even that portion of the world which passes its life in Courts of Justice, acquainted with what may be called the Philosophy of Evidence, that a conscientious endeavor of this kind to preserve his testimony in its purity, might draw upon him the imputation of having fabricated his narrative; and this is the more probable, because false witnesses have not unfrequently taken similar means for abiding by their fictions.

It is worthy of note how much these disturbing causes, both moral and intellectual, fasten upon these portions of evidence which are most liable to distortion. Words, as contra-distinguished from facts, exemplify the truth of this position. Every witness ought to feel great distrust of himself in giving evidence

of a conversation. Language, if it runs to any length, is very liable to be misunderstood, at least in passages.

But suposing it to be well understood at the moment, the exact wording of it can rarely be recalled, unless the witness's memory were tantamount in minuteness and accuracy to the record of a short-hand writer. He is consequently permitted to give an abstract, or, as it is usually called, the substance of what occurred. But here a new difficulty arises; to abstract correctly is an intellectual effort of no mean order, and is rarely accomplished with a decent approach to perfection. Let the juryman bear this in mind. He will be often tempted to rely on alleged confessions of prisoners sworn to by witnesses who certainly desire to speak the truth. These confessions often go so straight to the point, that they offer to the juryman a species of relief from that state of doubt, which, to minds unpracticed in weighing probabilities, is irksome, almost beyond description. Speaking from the experience of thirty years, I should pronounce the evidence of words to be so dangerous in its nature as to demand the utmost vigilance, in all cases, before it is allowed to influence the verdict to any important extent.

While I am on the subject of evidence, infirm in its nature, I must not pass over that of identity of person. The number of persons who resemble each other is not inconsiderable in itself; but the number is very large of persons, who, though very distinguishable when standing side by side, are yet sufficiently alike to deceive those who are without the means of immediate comparison.

Early in life an occurrence impressed me with the danger of relying on the most confidential belief of identity. I was at Vauxhall Gardens where I thought I saw, at a short distance, an old country gentleman whom I highly respected, and whose

favor I should have been sorry to lose. I bowed to him, but obtained no recognition. In those days the company amused themselves by walking round in a circle, some in one direction, some in the opposite, by which every one saw and was seen—I say, in those days, because I have not been at Vauxhall for a quarter of a century. In performing these rounds I often met the gentleman, and tried to attract his attention, until I became convinced that either his eye-sight was so weakened that he did not know me, or that he chose to disown my acquaintance. Some time afterward, going into the county in which he resided, I received, as usual, an invitation to dinner; this led to an explanation, when my friend assured me he had not been in London for twenty years. I afterwards met the person whom I had mistaken for my old friend, and wondered how I could have fallen into the error. I can only explain it by supposing that, if the mind feels satisfied of identity, which it often does at the first glance, it ceases to investigate that question, and occupies itself with other matter; as in my case, where my thoughts ran upon the motives my friend might have, for not recognizing me, instead of employing themselves on the question of whether or no the individual before my eyes was indeed the person I took him for.

If I had had to give evidence on this matter my mistake would have been the more dangerous, as I had full means of knowledge. The place was well lighted, the interviews were repeated, and my mind was undisturbed. How often have I known evidence of identity acted upon by juries, where the witness was in a much less favorable position (for correct observation) than mine.

Sometimes, a mistaken verdict is avoided by independent evidence. Rarely, however, is this rock escaped, by cross-examin-

ation, even when conducted with adequate skill and experience The belief of the witness is belief in a matter of opinion resulting from a combination of facts so slight and unimportant, separately considered, that they furnish no handle to the cross-examiner. A striking case of this kind occurs to my recollection, with which I will conclude.

A prisoner was indicted for shooting at the prosecutor, with intent to kill him. The prosecutor swore that the prisoner had demanded his money, and that upon refusal, or delay, to comply with his requisition, he fired a pistol, by the flash of which his countenance became perfectly visible; the shot did not take effect, and the prisoner made off. Here the recognition was momentary, and the prosecutor could hardly have been in an undisturbed state of mind, yet the confidence of his belief made a strong impression on all who heard the evidence, and probably would have sealed the fate of the prisoner without the aid of an additional fact of very slight importance, which was, however, put in evidence by way of corroboration, that the prisoner, who was a stranger to the neighborhood, had been seen passing near the spot in which the attack was made about noon of the same day. The judge belonged to a class, now, thank God! obsolete, who always acted on the reverse of the constitutional maxim, and considered every man guilty, until he was proved to be innocent.

If the case had closed without witnesses on behalf of the prisoner, his life would have been gone; fortunately, he possessed the means of employing an able and zealous attorney, and, more fortunately, it so happened that several hours before the attack the prisoner had mounted upon a coach, and was many miles from the scene of the crime at the hour of its commission.

With great labor, and at considerable expense, all the passengers were sought out, and with the coachman and guard,

were brought into court, and testified to the presence among them of the prisoner. An *alibi* is always a suspected defence, and by no man was ever more suspiciously watched than by this judge. But then witness after witness appeared, their names corresponding exactly with the way-bill produced by the clerk of a respectable coach-office, the most determined scepticism gave way, and the prisoner was acquitted by acclamation. He was not, however, saved by his innocence, but by his good fortune. How frequently does it happen to us all to be many hours at a time without having witnesses to prove our absence from one spot by our presence at another! And how many of us are too prone to avail ourselves of such proof in the instances where it may exist!

A remarkable instance of mistake in identity, which put the life of a prisoner in extreme peril, I heard from the lips of his counsel. It occurred at the Special Commission held at Nottingham after the riots consequent on the rejection of the Reform Bill by the House of Lords, in 1831.

The prisoner was a young man of prepossessing appearance, belonging to what may be called the lower section of the middle rank of life, being a frame-work knitter, in the employment of his father, a master manufacturer in a small way. He was tried on an indictment charging him with the offence of arson. A mob, of which he was alleged to be one, had burnt Colwick Hall, near Nottingham, the residence of Mr. Musters, the husband of Mary Chaworth, whose name is so closely linked with that of Byron. This ill-fated lady was approaching the last stage of consumption, when, on a cold and wet evening in autumn, she was driven from her mansion, and compelled to take refuge among the trees of her shrubbery—an outrage which probably hastened her death.

The crime with its attendant circumstances, created, as was natural, a strong sympathy against the criminals. Unhappily, this feeling, so praiseworthy in itself, is liable to produce a strong tendency in the public mind to believe in the guilt of the party accused. People sometimes seem to hunger and thirst after a criminal, and are disappointed when it turns out that they are mistaken in their man, and are, consequently, slow to believe that such an error has been made. Doubtless, the impression is received into the mind unconsciously; but although on that ground pardonable, it is all the more dangerous. In this case, the prisoner was identified by several witnesses as having taken an active part in setting fire to the house.

He had been under their notice for some considerable space of time. They gave their evidence against him without hesitation, and probably the slightest doubt of its accuaracy. His defence was an *alibi*. The frame at which he worked had its place near the entrance to the warehouse, the room frequented by the customers and all who had business to transact at the manufactory. He acted, therefore, as doorkeeper, and in that capacity had been seen and spoken with by many persons, who in their evidence more than covered the whole time which elapsed between the arrival of the mob at Colwick Hall and its departure. The *alibi* was believed, and the prisoner, after a trial which lasted a whole day, was acquitted.

The next morning he was to be tried again on another indictment, charging him with having set fire to the Castle of Nottingham. The counsel for the prosecution, influenced by motives of humanity, and fully impressed with the prisoner's guilt on both charges, urged the counsel for the prisoner to advise his client to plead guilty, undertaking that his life should be spared, but observing at the same time that his social position, which

was superior to that of the other prisoners, would make it impossible to extend the mercy of the Crown to him unless he manifested a due sense of his offences by foregoing the chance of escape. "You know," said they, "how rarely an *alibi* obtains credit with a jury. You can have no other defence to-day than that of yesterday. The Castle is much nearer than Colwick Hall to the manufactory, and a very short absence from his work on the part of the prisoner might reconcile the evidence of all the witnesses, both for him and against him; moreover, who ever heard of a successful *alibi* twice running?"

The counsel for the prisoner had his client taken into a room adjoining the court, and having explained to him the extreme danger in which he stood, informed him of the offer made by the prosecutors. The young man evinced some emotion, and asked his counsel to advise what step he should take. "The advice," he was answered, "must depend upon a fact known to himself alone—his guilt or innocence. If guilty, his chance of escape was so small that it would be the last degree of rashness to refuse the offer; if, on the other hand, he were innocent, his counsel, putting himself in the place of the prisoner, would say, that no peril, however imminent, would induce him to plead guilty." The prisoner was further told, that in the course of a trial circumstances often arose at the moment, unforeseen by all parties, which disclosed the truth; that this consideration was in his favor if he were innocent, but showed at the same time that there were now chances of danger, if he were guilty, the extent of which could not be calculated, nor even surmised. The youth, with perfect self-possession, and unshaken firmness, replied, "I am innocent, and will take my trial." He did so. Many painful hours wore away, every moment diminishing the prisoner's chance of acquittal, until it seemed utterly extin-

guished, when some trifling matter which had escaped the memory of the narrator, occurred, leading him to think it was possible that another person, who must much resemble the prisoner, had been mistaken for him. Inquiry was instantly made of the family, whether they knew of any such resemblance; when it appeared that the prisoner had a cousin so much like himself, that the two were frequently accosted in the street, the one for the other. The cousin had absconded.

It is hardly credible, though doubtless true, that a family of respectable station could have been unaware of the importance of such a fact, or that the prisoner, who appeared not deficient in intelligence, and who was assuredly in full possession of his faculties, could be insensible to its value. That either he or they could have placed such reliance on his defence as to induce them to screen his guilty relative, is to the last degree improbable, especially as the cousin had escaped. Witnesses, however, were quickly produced, who verified the resemblance between the two, and the counsel for the prosecution abandoned their case, expressing their belief that their witnesses had given their evidence under a mistake of identity.

The narrator added that an *alibi* stood a less chance of favorable reception at Nottingham than elsewhere, although in every place received with great jealousy. In one of the trials arising out of the outrages committed by the Luddites, who broke into manufactories and destroyed all lace frames of a construction which they thought oppressive to working-men, an *alibi*, he said, had been concocted, which was successful in saving the life of a man notoriously guilty, and which had therefore added to the disrepute of this species of defence. The hypothesis was, that the prisoner, at the time when the crime was committed, at Loughborough, sixteen miles from Nottingham, was engaged at a supper-

party at the latter place; and the prisoner having the sympathy of a large class in his favor, whose battle he had been fighting, no difficulty was experienced by his friends in finding witnesses willing to support this hypothesis on their oaths; but it would have been a rash measure to have called them into the box unprepared. And when it is considered how readily a preconcerted story might have been destroyed by cross-examination, the task of preparing the witnesses so as to elude this test, was one requiring no ordinary care and skill. The danger would arise thus:—Every witness would be kept out of court, except the one in the box. He would be asked where he sat at the supper? where the prisoner sat, and each of the other guests? what were the dishes, what was the course of conversation, and so forth—the questions being capable of multiplication *ad infinitum;* so that however well tutored, the witnesses would inevitably contradict each other upon some matters, on which the tutor had not foreseen that the witness would be cross-examined, or to which he had forgotten the answer prescribed. The difficulty was, however, surmounted. After the prisoner's apprehension, the selected witnesses were invited to a mackerel supper, which took place at an hour corresponding to that at which the crime was committed; and so careful was the ingenious agent who devised this conspiracy against the truth that, guided by a sure instinct, he fixed upon the same day of the week as that on which the crime had been committed, though without knowing how fortunate it would be for the prisoner that he took this precaution. When, on cross-examination, it was found that the witnesses agreed as to the order in which the guests were seated, the contents of the dishes, the conversation which had taken place, and so forth—the counsel for the Crown suspected the plot; but not imagining that it had been so perfectly elaborated,

they inquired of their attorneys as to whether there was any occurrence peculiar to the day of the week in question, and were told that, upon the evening of such day, a public bell was always rung, which must have been heard at the supper, if it had taken place at the time pretended. The witnesses were separately called back and questioned separately as to the bell. They had all heard it; and thus not only were the cross-examiners utterly baffled, but the cross-examination gave ten-fold support to the examination in chief, that is, to the evidence as given by the witnesses in answer to the questions put by the prisoner's counsel in his behalf. The triumph of falsehood was complete. The prisoner was acquitted.

When, however, the attention of prosecutors is called to the possibility of such fabrications they become less easy of management. The friends of a prisoner are often known to the police, and may be watched—the actors may be surprised at the rehearsal; a false ally may be inserted among them; in short, there are many chances of the plot failing. This, however, is an age of improvement, and the thirty years which have elapsed since the days of Luddism have not been a barren period in any art or science. The mystery of cookery in dishes, accounts, and *alibis*, has profited by this general advancement.

The latest device which my acquaintance with courts has brought to my knowledge is an *alibi* of a very refined and subtle nature. The hypothesis is, that the prisoner was walking from point A to point Z, along a distant road, at the hour when the crime was committed. The witnesses are supposed each to see him, and some to converse with him, at points which may be indicated by many or all the letters of the alphabet. Each witness must be alone when he sees him, so that no two may speak to what occurred at the same spot or moment of time; but, with

this reservation, each may safely indulge his imagination with any account of the interview which he has wit to make consistent with itself, and firmness to abide by, under the storm of a cross-examination. "The force of *falsehood* can no farther go." No rehearsal is necessary. Neither of the witnesses needs know of the existence of the others. The agent gives to each witness the name of the spot at which he is to place the prisoner. The witness makes himself acquainted with that spot, so as to stand a cross-examination as to the surrounding objects, and his education is complete. But as panaceas have only a fabulous existence, so this exquisite *alibi* is not applicable to all cases; the witness must have a reason for being on the spot, plausible enough to foil the skill of the cross-examiner; and, as false witnesses cannot be found at every turn, the difficulty of making it accord with the probability that the witness was where he pretends to have been on the day and at the hour in question is often insuperable, to say nothing of the possibility and probability of its being clearly established, on the part of the prosecution, that the prisoner could not have been there. I should add, that, except in towns of the first magnitude, it must be difficult to find mendacious witnesses who have in other respects the proper qualifications to prove a concocted *alibi*, save always where the prisoner is the champion of a class; and then, according to my experience—sad as the avowal is—the difficulty is greatly reduced.

These incidents illustrate the soundness of the well-known proposition, that mixture of truth with falsehood, augments to the highest degree the noxious power of the venomous ingredient. That man was no mean proficient in the art of deceiving, who first discovered the importance of the liar being parsimonious in mendacity The mind has a stomach as well as an eye,

and if the bolus be neat falsehood, it will be rejected like an over-dose of arsenic which does not kill.

Let the juryman ponder these things, and beware how he lets his mind lapse into a conclusion either for or against the prisoner. To perform the duties of his office, so that the days which he spends in the jury-box will bear retrospection, his eye, his ears, and his intellect, must be ever on the watch. A witness in the box, and the same man in common life, are different creatures. Coming to give evidence, "he doth suffer a law change." Sometimes he becomes more truthful, as he ought to do, if any change is necessary; but unhappily this is not always so, and least of all in the case of those whose testimony is often required.

I remember a person, whom I frequently heard to give evidence quite out of harmony with the facts; but I shall state neither his name nor his profession. A gentleman who knew perfectly well the unpalatable designation which his evidence deserved, told me of his death. I ventured to think it was a loss which might be borne, and touched upon his infirmity, to which my friend replied in perfect sincerity of heart, "Well! after all, I do not think he ever told a falsehood in his life—*out of th witness' box!*"

BANK-NOTE FORGERIES.

[From Dickens' Household Words.]

CHAPTER I.

Viotti's divison of violin-playing into two great classes—good playing and bad playing—is applicable to Bank-note making. We shall now cover a few pages with a faint outline of the various arts, stratagems, and contrivances employed in concocting bad Bank-notes. The picture cannot be drawn with very distinct or strong markings. The tableaux from which it is copied, are so intertwisted and complicated with clever, slippery, ingenious scoundrelism, that a finished chart of it would be worse than morally displeasing—it would be tedious.

All arts require time and experience for their development. When anything great is to be done, first attempts are nearly always failures. The first Bank-note forgery was no exception to this rule, and its story has a spice of romance in it. The affair has never been circumstantially told; but some research enables us to detail it:—

In the month of August, 1757, a gentleman living in the neighborhood of Lincoln's Inn Fields, named Bliss, advertised for a clerk. There were, as was usual at that time, many applicants; but the successful one was a young man of twenty-six, named Richard William Vaughan. His manners were so winning and his demeanor so much that of a gentleman, (he belonged indeed to a good county family in Staffordshire, and had been a student at Pembroke Hall, Oxford,) that Mr. Bliss at once engaged him. Nor had he occasion, during the time

the new clerk served him, to repent the step. Vaughan was so diligent, intelligent, and steady, that not even when it transpired that he was, commercially speaking, "under a cloud," did his master lessen confidence in him. Some inquiry into his antecedents showed that he had, while at College, been extravagant—that his friends had removed him thence—set him up in Stafford as a wholesale linen-draper, with a branch establishment in Aldersgate Street, London—that he had failed, and that there was some difficulty about his certificate. But so well did he excuse his early failings and account for his misfortunes, that his employer did not check the regard he felt growing towards him. Their intercourse was not merely that of master and servant. Vaughan was a frequent guest at Bliss's table; by-and-by a daily visitor to his wife, and—to his ward.

Miss Bliss was a young lady of some attractions, not the smallest of which was a hansome fortune. Young Vaughan made the most of his opportunities. He was well-looking, well-informed, dressed well, and evidently made love well, for he won the young lady's heart. The guardian was not flinty-hearted, and acted like a sensible man of the world. "It was not," he said, on a subsequent and painful occasion, "till I learned from the servants and observed by the girl's behavior, that she greatly approved Richard Vaughan, that I consented; but on condition that he should make it appear that he could maintain her. I had no doubt of his character as a servant, and I knew his family were respectable. His brother is an eminent attorney." Vaughan boasted that his mother (his father was dead) was willing to re-instat' him in business with a thousand pounds—five hundred of which was to be settled upon Miss Bliss for her separate use.

So far all went on prosperously. Providing Richard Vaughan could attain a position satisfactory to the Blisses, the marriage was to take place on the Easter Monday following, which, the Calendar tells us, happened early in April, 1758. With this understanding, he left Mr. Bliss's service, to push his fortune.

Months passed on, and Vaughan appears to have made no way in the world. He had not even obtained his bankrupt's certificate. His visits to his affianced were frequent, and his protestations passionate; but he had effected nothing substantial towards a happy union. Miss Bliss's guardian grew impatient; and, although there is no evidence to prove that the young lady's affection for Vaughan was otherwise than deep and sincere, yet even she began to lose confidence in him. His excuses were evidently evasive, and not always true. The time fixed for the wedding was fast approaching; and Vaughan saw that something must be done to restore the young lady's confidence.

About three weeks before the appointed Easter Tuesday, Vaughan went to his mistress in high spirits. All was right—his certificate was to be granted in a day or two—his family had come forward with the money, and he was to continue the Aldersgate business he had previously carried on as a branch of the Stafford trade. The capital he had waited so long for, was at length forthcoming. In fact, here were two hundred and forty pounds of the five hundred he was to settle on his beloved. Vaughan then produced twelve twenty-pound notes; Miss Bliss could scarcely believe her eyes. She examined them. The paper, she remarked, seemed thicker than usual. "Oh," said Bliss, "all Bank bills are not alike." The girl was naturally much pleased. She would hasten to apprise Mistress Bliss of the good news.

Not for the world! So far from letting any living soul know he had placed so much money in her hands, Vaughan exacted an oath of secresy from her, and sealed the notes up in a pareel with his own seal—making her swear that she would on no account open it till after their marriage.

Some days after, that is, "on the twenty-second of March," (1758) we are describing the scene in Mr. Bliss's own words—"I was sitting with my wife by the fireside. The prisoner and the girl were sitting in the same room—which was a small one—and although they whispered, I could distinguish that Vaughan was very urgent to have something returned which he had previously given to her. She refused, and Vaughan went away in an angry mood. I then studied the girl's face, and saw that it expressed much dissatisfaction. Presently a tear broke out. I then spoke, and insisted on knowing the dispute. She refused to tell, and I told her that until she did, I would not see her. The next day I asked the same question of Vaughan—he hesitated. 'Oh!' I said, 'I dare say it is some ten or twelve pound matter—something to buy a wedding bauble with.' He answered that it was much more than that—it was near three hundred pounds! 'But why all this secrecy?' I said; and he answered that it was not proper for people to know that he had so much money till his certificate was signed. I then asked him to what intent he had left the notes with the young lady? He said, as I had of late suspected him, he designed to give her a proof of his affection and truth. I said, 'You have demanded them in such a way that it must be construed as an abatement of your affection towards her.'" Vaughan was again exceedingly urgent in asking back the packet; but Bliss remembering his many evasions, and supposing that this was a trick, declined advising his niece to restore

the parcel without proper consideration. The very next day it was discovered that the notes were counterfeits.

This occasioned stricter inquiries into Vaughan's previous career. It turned out that he bore the character in his native place of a dissipated and not very scrupulous person. The intention of his mother to assist him was an entire fabrication, and he had given Miss Bliss the forged notes solely for the purpose of deceiving her on that matter. Meanwhile the forgeries became known to the authorities, and he was arrested. By what means, does not clearly appear. The "Annual Register" says, that one of the engravers gave information; but we find nothing in the newspapers of the time to support that statement; neither was it corroborated at Vaughan's trial.

When Vaughan was arrested, he thrust a piece of paper into his mouth, and began to chew it violently. It was, however, rescued, and proved to be one of the forged notes; fourteen of them were found on his person, and when his lodgings were searched twenty more were discovered.

Vaughan was tried at the Old Bailey on the seventh of April, before Lord Mansfield. The manner of the forgery was detailed minutely at the trial:—On the first of March, (about a week before he gave the twelve notes to the young lady,) Vaughan called on Mr. John Corbould, an engraver, and gave an order for a promissory note to be engraved with these words:—

"No. ———.

"I promise to pay to ————, or Bearer, ——, London ——."

There was to be a Britannia in the corner. When it was done, Mr. Sneed (for that was the *alias* Vaughan adopted)

came again, but objected to the execution of the work. The Britannia was not good, and the words "I promise" were too near the edge of the plate. Another was in consequence engraved, and on the fourth of March, Vaughan took it away. He immediately repaired to a printer, and had forty-eight impressions taken on thin paper, provided by himself. Meanwhile, he had ordered, on the same morning, of Mr. Charles Fourdrinier, another engraver, a second plate, with what he called "a direction," in the words, "For the Governor and Company of the Bank of England." This was done, and about a week later he brought some paper, each sheet "folded up," said the witness, "very curiously, so that I could not see what was in them. I was going to take the papers from him, but he said he must go upstairs with me, and see them worked off himself. I took him up-stairs; he would not let me have them out of his hands. I took a sponge and wetted them, and put them one by one on the plate in order for printing them. After my boy had done two or three of them, I went down-stairs, and my boy worked the rest off, and the prisoner came down and paid me."

Here the Court pertinently asked, "What imagination had you when a man thus came to you to print on secret paper, 'the Governor and Company of the Bank of England?'"

The engraver's reply was:—"I then did not suspect anything; but I shall take care for the future." As this was the first Bank-of-England-note forgery that was ever perpetrated, the engraver was held exeused.

It may be mentioned, as an evidence of the delicacy of the reporters, that in their account of the trial, Miss Bliss's name is not mentioned. Her designation is "a young lady." We subjoin the notes of her evidence:—

"A young lady (sworn). The prisoner delivered me some bills; these are the same (producing twelve counterfeit Bank notes sealed up in a cover, for twenty pounds each) said they were Bank bills. I said they were thicker paper—he said all bills are not alike. I was to keep them till after we were married. He put them into my hands to show he put confidence in me, and desired me not to show them to anybody; sealed them up with his own seal, and obliged me by an oath not to discover them to anybody, and I did not till he discovered them himself; he was to settle so much in Stock on me."

Vaughan urged in his defence that his sole object was to deceive his affianced, and that he intended to destroy all the notes after his marriage. But it had been proved that the prisoner had asked one John Ballingar to change first one, and then twenty of the notes; but which that person was unable to do. Besides, had his sole object been to dazzle Miss Bliss with his fictitious wealth, he would most probably have intrusted more, if not all the notes, to her keeping.

He was found guilty, and passed the day that had been fixed for his wedding, as a condemned criminal.

On the 11th May, 1758, Richard William Vaughan was executed at Tyburn. By his side, on the same gallows, there was another forger—William Boodgere, a military officer, who had forged a draught on an army-agent named Calcroft, and expiated the offence with the first forger of Bank-of-England notes.

The gallows may seem hard measure to have meted out to Vaughan, when it is considered that none of his notes were negotiated and no person suffered by his fraud. Not one of the forty-eight notes, except the twelve delivered to Miss Bliss, had

been out of his possession; indeed the imitation must have been very clumsily executed, and detection would have instantly followed any attempt to pass the counterfeits. There was no endeavor to copy the style of engraving on a real Bank note. That was left to the engraver; and as each sheet passed through the press twice, the words added at the second printing, "For the Governor and Company of the Bank of England," could have fallen into their proper place on any one of the sheets, only by a miracle. But what would have made the forgery clear to even a superficial observer, was the singular omission of the second "n" in the word England.*

The criticism on Vaughan's note of a Bank clerk examined on the trial was—"There is some resemblance to be sure; but this note" (that upon which the prisoner was tried) "is numbered thirteen thousand eight hundred and forty, and we never reach so high a number." Besides, there was no water-mark in the paper. The note, of which a fac-simile appeared in our eighteenth number, and dated so early as 1699, has a regular design in the texture of the paper, showing that the water-mark is as old as the Bank notes themselves.

Vaughan was greatly commiserated. But despite the unskillfulness of the forgery, and the insignificant consequences which followed it, the crime was considered of too dangerous a character not to be marked, from its very novelty, with exemplary punishment. Hanging created at that time no remorse in the public mind, and it was thought necessary to set up Vaughan as a warning to all future Bank-note forgers. The crime was too dangerous not to be marked with the severest penalties.

* Bad orthography was by no means uncommon in the most important documents at that period; the days of the week, in the lay-books of the Bank of England itself, are spelt in a variety of ways.

Forgery differs from other crimes not less in the magnitude of the spoil it may obtain and of the injury it inflicts, than in the facilities attending its accomplishment. The common thief finds a limit to his depredations in the bulkiness of his booty, which is generally confined to such property as he can carry about his person; the swindler raises insuperable and defeating obstacles to his frauds if the amount he seeks to obtain is so considerable as to awaken close vigilance or inquiry. To carry their projects to any very profitable extent, these criminals are reduced to the hazardous necessity of acting in concert, and thus infinitely increasing the risks of detection. But the forger need have no accomplice—he is burdened with no bulky and suspicious property—he needs no receiver to assist his contrivances. The skill of his own individual right-hand can command thousands—often with the certainty of not being detected, and oftener with such rapidity as to enable him to baffle the pursuit of justice.

It was a long time before Vaughan's rude attempt was improved upon; but in the same year, (1758,) another department of the crime was commenced with perfect success, namely, an ingenious alteration, for fraudulent purposes, of real Bank notes. A few months after Vaughan's execution, one of the northern mails was stopped and robbed by a highwayman; several Bank notes were comprised in the spoil, and the robber, setting up with these as a gentleman, went boldly to the Hatfield Post-office, ordered a chaise-and-four, rattled away down the road, and changed a note at every change of horses. The robbery was of course soon made known, and the numbers and dates of the stolen notes were advertised as having been stopped at the Bank. To the genius of a highwayman this offered but a small obstacle, and the gentleman-thief changed all the fig-

ures "1" he could find, into "4's." These notes passed currently enough; but on reaching the Bank, the alteration was detected, and the last holder was refused payment. As that person had given a valuable consideration for the note, he brought an action for the recovery of the amount; and at the trial it was ruled by the Lord Chief Justice, that "any person paying a valuable consideration for a Bank note, payable to bearer, in a fair course of business, has an understood-right to receive the money of the Bank."

It took a quarter of a century to bring the art of forging Bank notes to perfection. In 1779, this was nearly attained by an ingenious gentleman named Mathison, a watch-maker, from the matrimonial village of Gretna Green. Having learnt the arts of engraving and of simulating signatures, he tried his hand at the notes of the Darlington Bank; but, with the confidence of skill, was not cautious in passing them, was suspected and absconded to Edinburgh. Scorning to let his talent be wasted, he favored the Scottish public with many spurious Royal Bank-of-Scotland notes, and regularly forged his way by their aid to London. At the end of February he took handsome lodgings in the Strand, opposite Arundel Street. His industry was remarkable; for, by the 12th of March, he had planned and polished rough pieces of copper, engraved them, forged the water-mark, printed, and negotiated several impressions. His plan was to travel and to purchase articles in shops. He bought a pair of shoe-buckles at Coventry with a forged note, which was eventually detected at the Bank of England. He had got so bold that he paid such frequent visits in Threadneedle Street that the Bank clerks became familiar with his person. He was continually changing notes of one for another denomination. These were his originals, which he procured to make spurious

copies of. One day seven thousand pounds came in from the Stamp Office. There was a dispute about one of the notes. Mathison, who was present, though at some distance, declared, oracularly, that the note was a good one. How could he know so well? A dawn of suspicion arose in the minds of the clerks; one trail led into another, and Mathison was finally apprehended. So well were his notes forged, that, on the trial, an experienced Bank clerk declared he could not tell whether the note handed him to examine, was forged or not. Mathison offered to reveal his secret of forging the water-mark, if mercy were shown to him; this was refused, and he suffered the penalty of his crime.

Mathison was a genius in his criminal way, but a greater than he appeared in 1786. In that year perfection seemed to have been reached. So considerable was the circulation of spurious paper-money that it appeared as if some unknown power had set up a bank of its own. Notes were issued from it, and readily passed current, in hundreds and thousands. They were not to be distinguished from the genuine paper of Threadneedle Street. Indeed, when one was presented there, in due course, so complete were all its parts, so masterly the engraving, so correct the signatures, so skillful the water-mark, that it was promptly paid, and only discovered to be a forgery when it reached a particular department. From that period forged paper continued to be presented, especially at the time of lottery-drawing. Consultations were held with the police. Plans were laid to help detection. Every effort was made to trace the forger. Clarke, the best detective of his day, went like a sluth-hound, on the track; for in those days the expressive word "blood-money" was known. Up to a certain point there was little difficulty; but beyond that, consummate art defied the

ingenuity of the officer. In whatever way the notes came, the train of discovery always paused at the lottery-offices. Advertisements offering large rewards were circulated; but the unknown forger baffled detection.

While this base paper was in full currency, there appeared an advertisement in the Daily Advertiser for a servant. The successful applicant was a young man, in the employment of a musical-instrument maker, who, some time after, was called upon by a coachman, and informed that the advertiser was waiting in a coach to see him. The young man was desired to enter the conveyance, where he beheld a person with something of the appearance of a foreigner, sixty or seventy years old, apparently troubled with the gout. A camlet surtout was buttoned round his mouth, a large patch was placed over his left eye, and nearly every part of his face was concealed. He affected much infirmity. He had a faint hectic cough; and invariably presented the patched side to the view of the servant. After some conversation—in the course of which he represented himself as guardian to a young nobleman of great fortune—the interview concluded with the engagement of the applicant, and the new servant was directed to call on Mr. Brank, at 29 Titchfield Street, Oxford Street. At this interview Brank inveighed against his whimsical ward for his love of speculating in lottery tickets, and told the servant that his principal duty would be to purchase them. After one or two meetings, at each of which Brank kept his face muffled, he handed a forty and twenty pound Bank note; told the servant to be very careful not to lose them, and directed him to buy lottery-tickets at separate offices. The young man fulfilled his instructions, and at the moment he was returning, was suddenly called by his employer from the other side of the street, congratulated on his

rapidity, and then told to go to various other offices in the neighborhood of the Royal Exchange, and to purchase more shares. Four hundred pounds in Bank-of-England notes were handed him, and the wishes of the mysterious Mr. Brank were satisfactorily effected. These scenes were continually enacted. Notes to a large amount were thus circulated, lottery tickets purchased, and Mr. Brank—always in a coach, with his face studiously concealed—was ever ready on the spot to receive them. The surprise of the servant was somewhat excited; but had he known that from the period he left his master to purchase the tickets, one female figure accompanied all his movements, that, when he entered the offices, it waited at the door, peered cautiously in at the window, hovered round him like a second shadow, watched him carefully, and never left him until once more he was in the company of his employer—that surprise would have been greatly increased.* Again and again were these extraordinary scenes rehearsed. At last the Bank obtained a clue, and the servant was taken into custody. The directors imagined that they had secured the actor of so many parts, that the flood of forged notes which had inundated that establishment would at length be dammed up at his source. Their hopes proved fallacious, and it was found that "Old Patch" (as the mysterious forger was, from the servant's description, nick-named,) had been snfficiently clever to baffle the Bank directors. The house in Titchfield street was searched; but Mr. Brank had deserted it, and not a tra e of a single implement of forgery was to be seen.

All that could be obtained was some little knowledge of "Old Patch's" proceedings. It appeared that he carried on his paper-coining entirely by himself. His only confidant was

* Francis's History of the Bank of England.

his mistress. He was his own engraver. He even made his own ink. He manufactured his own paper. With a private press he worked his own notes, and counterfeited the signatures of the cashiers, completely. But these discoveries had no effect, for it became evident that Mr. Patch had set up a press elsewhere. Although his secret continued as impenetrable, his notes became as plentiful as ever. Five years of unbounded prosperity ought to have sstisfied him—but it did not. Success seemed to pall him. His genius was of that insatiable order which demands new excitements, and a constant sucession of new flights. The following paragraph from a newspaper of 1786, relates to the same individual:—

"On the 17th of December, ten pounds was paid into the Bank, for which the clerk, as usual, gave a ticket to receive a Bank note of equal value. This ticket ought to have been carried immediately to the cashier, instead of which the bearer took it home, and curiously added an 0 to the original sum, and returning, presented it so altered to the cashier, for which he received a note of one hundred pounds. In the evening, the clerks found a deficiency in the accounts, and on examining the tickets of the day, not only that but two others were discovered to have been obtained in the same manner. In one, the figure 1 was altered to 4, and in another to 5, by which the artist received, upon the whole, nearly one thousand pounds."

To that princely felony, Old Patch, as will be seen in the sequel, added smaller misdemeanors which one would think were far beneath his notice, except to convince himself and his mistress of the unbounded facility of his genius for fraud.

At that period the affluent public were saddled with a tax on plate, and many experiments were made to evade it. Among others one was invented by a Mr. Charles Price, a stock-jobber

and lottery-office keeper, which, for a time, puzzled the tax-gatherer. Mr. Charles Price lived in great style, gave splendid dinners, and did everything on the grandest scale. Yet Mr. Charles Price had no plate! The authorities could not find so much as a silver tooth-pick on his magnificent premises. In truth, what he was too cunning to possess, he borrowed. For one of his sumptuous entertainments, he hired the plate of a silversmith in Cornhill, and left the value in bank notes as security for its safe return. One of these notes having proved a forgery, was traced to Mr. Charles Price; and Mr Charles Price was not to be found at that particular juncture. Although this excited no surprise—for he was often an absentee from his office for short periods—yet, in due course and as a formal matter of business, an officer was sent to find him, and to ask his explanation regarding the false notes. After tracing a man whom he had a strong notion was Mr. Charles Price, through countless lodgings and innumerable disguises, the officer (to use his own expression) "nabbed" Mr. Charles Price. But, as Mr. Clark observed, his prisoner and his prisoner's lady were even then "too many" for him; for although he lost not a moment in trying to secure the forging implements, after he had discovered that Mr. Charles Price, and Mr. Brank, and Old Patch, were all concentrated in the person of his prisoner, he found the lady had destroyed every trace of evidence. Not a vestige of the forging factory was left; not the point of a graver, nor a single spot of ink, nor a shred of silver paper, nor a scrap of anybody's handwriting, was to be met with. Despite, however, this paucity of evidence to convict him, Mr. Charles Price had not the courage to face a jury, and eventually he saved the judicature and the Tyburn executive much trouble and expense, by hanging himself in Bridewell.

The success of Mr. Charles Price has never been surpassed; and even after the darkest era in the history of Bank forgeries—which dates from the suspension of cash payments, in February, 1797, and which will be treated of in the succeeding chapter—"Old Patch" was still remembered as the Cæsar of Forgers.

CHAPTER II.

In the history of crime, as in all other histories, there is one great epoch by which minor dates are arranged and defined. In a list of remarkable events, one remarkable event more remarkable than the last, is the standard around which all smaller circumstances are grouped. Whatever happens in Mohammedan annals, is set down as having occurred so many years after the flight of the Prophet; in the records of London commerce a great fraud or a great failure is mentioned as having come to light so many months after the flight of Rowland Stephenson. Sporting men date from remarkable struggles for the Derby prize, and refer to 1840, as "Bloomsbury's year." The highwayman of old dated from Dick Turpin's last appearance on the fatal stage at Tyburn turnpike. In like manner, the standard epoch in the annals of Bank-Note Forgery, is the year 1797, when (on the 25th of February) one-pound notes were put into circulation instead of golden guineas; or, to use the City idiom, "cash payments were suspended."

At that time the Bank-of-England note was no better in appearance—had not improved as a work of art—since the days of Vaughan, Mathison, and Old Patch; it was just as easily imitated, and the chances of the successful circulation of counterfeits were increased a thousand-fold.

Up to 1793 no notes had been issued even for sums so small as five pounds. Consequently all the Bank paper then in use, passed through the hands and under the eyes of the affluent and educated, who could more readily distinguish the false from the true. Hence, during the fourteen years which preceded the non-golden and small-note era, there were only three capital convictions for the crime. When, however, the Bank-of-England notes became "common and popular," a prodigious quantity—to complete the quotation—was also made "base," and many persons were hanged for concocting them.

To a vast number of the humbler orders, Bank Notes were a rarity and a "sight." Many had never seen such a thing before they were called upon to take one or two-pound notes in exchange for small merchandise, or their own labor. How were they to judge? How were they to tell a good from a spurious note?—especially when it happened that the officers of the Bank themselves, were occasionally mistaken, so complete and perfect were the imitations then afloat. There cannot be much doubt that where one graphic rascal was found out, ten escaped. They snapped their fingers at the executioner, and went on enjoying their beef-steaks and porter—their winter treats to the play—their summer excursions to the suburban tea-gardens—their fashionable lounges at Tunbridge Wells, Bath, Margate, and Ramsgate—doing business with wonderful unconcern, and "face" all along their journeys. These usually expensive, but to them profitable enjoyments, were continually coming to light at the trials of the lesser rogues who undertook the issue department; for, from the ease with which close imitation was effected, the manufacture was more readily completed than the uttering. The fraternity and sisterhood of utterers played many parts, and were banded in strict compact with the forgers. Some

were turned loose into fairs and markets, in all sorts of appropriate disguises. Farmers, who could hardly distinguish a field of standing wheat from a field of barley—butchers, who never wielded more deadly weapons than two-prong forks—country boys, with cockney accents, bought gingerbread, and treated their so-called sweethearts with ribbons and muslins, all by the interchange of false "flimseys." The better-mannered disguised themselves as ladies and gentlemen, paid their losings at cards or hazard, or their tavern bills, their milliners, and coachmakers, in motley money, composed of part real and part base bank paper. Some went about in the cloak of the Samaritan. and generously subscribed to charities wherever they saw a chance of changing a bad "five" for three or four good "ones." Ladies of sweet disposition went about doing good among the poor—personally inquired into distress, relieved it by sending out a daughter or a son to a neighboring shop for change, and left five shillings for present necessities, walking off with fifteen. So openly—in spite of the gallows—was forgery carried on, that whoever chose to turn utterer found no difficulty in getting a stock-in-trade to commence with. Indeed, in the days of highwaymen, no traveling-gentleman's pocket or valise was considered properly furnished without a few forged notes wherewith to satisfy the demands of the members of the "High Toby." This offence against the laws of the road, however, soon became too common, and wayfarers who were stopped and rifled, had to pledge their sacred words of honor that their notes were the genuine promises of Abraham Newland, and that their watches were not of the factory of Mr. Pinchbeck.

With temptations so strong, it is no wonder that the forgers' trade flourished, with only an occasional check from the strong arm of the law. It followed, therefore, that from the issue of

small notes in February, 1797, to the end of 1817—twenty years—there were no fewer than eight hundred and seventy prosecutions connected with Bank-Note Forgery, in which there were only one hundred and sixty acquittals, and upwards of three hundred executions! 1818 was the culminating point of the crime. In the first three months there were no fewer than one hundred and twenty-eight prosecutions by the Bank; and by the end of that year, two-and-thirty individuals had been hanged for Note Forgery. So far from this appalling series of examples having any effect in checking the progress of the crime, it is proved that at, and after that very time, base notes were poured into the Bank at the rate of *a hundred a day!*

The enormous number of undetected forgeries afloat, may be estimated by the fact, that from the 1st of January, 1812, to the 10th April, 1818, one hundred and thirty-one thousand three hundred and thirty-one pieces of paper were ornamented by the Bank officers with the word "Forged"—upwards of one hundred and seven thousand of them were one-pound counterfeits.

Intrinsically, it would appear from an Hibernian view of the case, then, that bad notes were nearly as good, (except not merely having been manufactured at the Bank,) as good ones. So thoroughly and completely did some of them resemble the authorized engraving of the Bank, that it was next to impossible to distinguish the false from the true. Countless instances, showing rather the skill of the forger than the want of vigilance in Bank officials, could be brought forward. Respectable persons were constantly taken into custody on a charge of uttering forgeries, imprisoned for days and then liberated. A close scrutiny proving that the accusations were made upon genuine paper. In September, 1818 Mr A. Burnett, of Portsmouth,

had the satisfaction of having a note which had passed through his hands, returned to him from the Bank of England, with the base mark upon it. Satisfied of its genuineness, he re-inclosed it to the cashier, and demanded its payment. By return of post he received the following letter:—

"*Bank of England*, 16 *Sept.*, 1818.

"SIR,—I have to acknowledge your letter to Mr. Hase, of the 13th inst., inclosing a one-pound note, and, in answer thereto, I beg leave to acquaint you, that on inspection it appears to be a genuine Note of the Bank of England; I therefore, agreeably to your request, inclose you one of the like value, No. 26, 276, dated 22nd August, 1818.

"I am exceedingly sorry, sir, that such an unusual oversight should have occurred to give you so much trouble, which I trust your candor will induce you to excuse when I assure you that the unfortunate mistake has arisen entirely out of the hurry and multiplicity of business. "I am, sir,

"Your most obedient servant,

"J. RIPPON.

"A. BURNETT, ESQ.

"7 Belle Vue Terrace.
"Southsea, near Portsmouth."

A more extraordinary case is on record:—A note was traced to the possession of a tradesman, which had been pronounced by the Bank Inspectors to have been forged. The man would not give it up, and was taken before a magistrate, charged with "having a note in his possession, well knowing it to be forged." He was committed to prison on evidence of the Bank Inspector, but was afterwards released on bail to appear when called on. He was *not* called on; and, at the expiration of twelve months, (having kept the note all that time,) he brought an action

against the Bank for false imprisonment. On the trial the note was proved to be genuine! and the plaintiff was awarded damages of one hundred pounds.

It is a fact sufficiently dreadful that three hundred and thirty human lives should have been sacrificed in twenty-one years; but when we relate a circumstance which admits the merest probability that some—even one—of those lives may have been sacrificed in innocence of the offence for which they suffered, the consideration becomes appalling.

Some time after the frequency of the crime had in other respects subsided, there was a sort of bloody assize at Haverford-west, in Wales; several prisoners were tried for forging and uttering, and thirteen were convicted—chiefly on the evidence of Mr. Christmas, a Bank Inspector, who swore positively, in one case, that the document named in the indictment, "was not an impression from a Bank-of-England plate—was not printed on the paper with the ink or water-mark of the Bank—neither was it in the handwriting of the signing clerk." Upon this testimony the prisoner, together with twelve participators in similar crimes, were condemned to be hanged!

The morning after the trial, Mr. Christmas was leaving his lodging, when an acquaintance stepped up and asked him, as a friend, to give his opinion on a note he had that morning received. It was a bright day; Mr. Christmas put on his spectacles, and carefully scrutinized the document in a business-like and leisurely manner. He pronounced it to be forged. The gentleman, a little chagrined, brought it away with him to town. It is not a little singular that he happened to know Mr. Burnett, of Portsmouth, whom he accidentally met, and to whom he showed the note. Mr. Burnett was evidently a capital judge of bank paper. He said nothing, but slipping his hand into one

pocket, handed to the astonished gentleman full change, and put the note into another. "It cannot be a good note," exclaimed the latter, "for my friend Christmas told me at Haverfordwest that it is a forgery!" But as Mr. Burnett had backed his opinion to the amount of twenty shillings, he declined to retract it; and lost no time in writing to Mr. Henry Hase (Abraham Newland's successor) to test its accuracy.

It was lucky that he did so; for this little circumstance saved thirteen lives!

Mr. Christmas's co-inspectors at the Bank of England actually reversed his non-official judgment that the note was a forgery. It was officially pronounced to be a good note; yet upon the evidence of Mr. Christmas as regards other notes, the thirteen human beings at Haverfordwest were trembling at the foot of the gallows. It was promptly and cogently argued that as Mr. Christmas's judgment had failed him in the deliberate examination of one note, it might also err as to others, and the convicts were respited.

The converse of this sort of mistake often happened. Bad notes were pronounced to be genuine by the Bank. Early in January, 1818, a well-dressed woman entered the shop of Mr. James Hammond, of 40 Bishopsgate Street Without, and having purchased three pounds worth of goods, tendered in payment a ten-pound note. There was something hesitating and odd in her manner; and, although Mr. Hammond could see nothing the matter with the note, yet he was ungallant enough to suspect—from the uncomfortable demeanor of his customer—that all was not right. He hoped she was not in a hurry, for he had no change; he must send to a neighbor for it. He immediately dispatched his shopman to the most affluent of all his neighbors—to her of Threadneedle Street. The delay occa-

sioned the lady to remark, "I suppose he is gone to the Bank!" Mr. Hammond having answered in the affirmative, engaged his customer in conversation, and they freely discussed the current topics of the day; till the young man returned with ten one pound Bank-of-England Notes. Mr. Hammond felt a little remorse at having suspected his patroness, who departed with the purchases with the utmost dispatch. She had not been gone half an hour before two gentlemen rushed into the shop in a state of grievous chagrin; one was the Bank clerk who had changed the note. He begged Mr. Hammond would be good enough to give him another for it. "Why?" asked the puzzled shopkeeper. "Why, sir," replied the distressed clerk, "it is forged!" Of course his request was not complied with. The clerk declared that his dismissal was highly probable; but Mr. Hammond was inexorable.

The arguments in favor of death-punishments never fail so signally as when brought to the test of the scaffold and its effect on Bank forgeries. When these were most numerous, although from twenty to thirty persons were put to death in one year, the gallows was never deprived of an equal share of prey during the next. As long as simulated notes could be passed with ease, and detected with difficulty, the Old Bailey had no terrors for clever engravers and dexterous imitators of the hieroglyphic autographs of the Bank-of-England signers.

At length public alarm at the prevalence of forgeries, and the difficulty of knowing them as such, arose to the height of demanding some sort of relief. In 1819 a committee was appointed by the Government to inquire into the best means of prevention. One hundred and eighty projects were submitted. They mostly consisted of intricate designs such as rendered great expense necessary to imitate. But none were adopted,

for the obvious reason that ever so indifferent and easily executed imitation of an elaborate note is quite sufficient to deceive an uneducated eye, as had been abundantly proved in the instance of the Irish "black note." The Bank had not been indifferent or idle on the subject, for it had spent some hundred thousand pounds in projects for inimitable notes. At last—not long before the Commission was appointed—they were on the eve of adopting an ingenious and costly mechanism for printing a note so precisely alike on both sides as to appear as one impression, when one of the Bank printers imitated it exactly by the simple contrivance of two plates and a hinge. This may serve as a sample of the other one hundred and seventy-nine projects.

Neither the gallows nor expensive and elaborate works of art having been found effectual in preventing forgery, the true expedient for at least lessening the crime was adopted in 1821:—the issue of small notes was wholly discontinued, and sovereigns were brought into circulation. The forger's trade was nearly annihilated. Criminal returns inform us that during the nine years after the resumption of gold currency the number of convictions for offences having reference to the Bank-of-England notes were less than one hundred, and the executions only eight. This clinches the argument against the efficacy of the gallows. In 1830 death-punishments were repealed for all minor offences, and, although the cases of Bank-Note Forgeries slightly increased for a time, yet there is no reason to suppose that they are greater now than they were between 1821 and 1830.

At present, Bank-paper forgeries are not numerous. One of the latest was that of the twenty-pound note, of which about sixty specimens found their way into the Bank. It was well executed in Belgium by foreigners, and the impressions were

passed among the Change-agents in various towns in France and the Netherlands. The speculation did not succeed; for the notes got into, and were detected at the Bank, a little too soon to profit the schemers much.

The most considerable frauds now perpetrated are not forgeries; but are done upon the plan of the highwayman mentioned in our first chapter. In order to give currency to stolen or lost notes which have been stopped at the Bank, (lists of which are supplied to every banker in the country,) the numbers and dates are fraudulently altered. Some years since, a gentleman, who had been receiving a large sum of money at the Bank, was robbed of it in an omnibus. The notes gradually came in, but all were altered. The last was one for five hundred pounds, dated the 12th March, 1846, and numbered 32109. On the Monday (3rd June) after the last "Derby Day," amid the *twenty-five thousand pieces* of paper that were examined by the Bank Inspectors, there was one note for five hundred pounds, dated 12th March, 1848, and numbered 32409. At that note an inspector suddenly arrested his rapid examination of the pile of which it was one. He scrutinized it for a minute, and pronounced it "altered." On the next day, that same note, with a perfect one for five hundred pounds, is shown to us with an intimation of the fact. We look at every letter—we trace every line—follow every flourish; we hold both up to the light—we undulate our visuals with the waves of the water-mark. We confess that we cannot pronounce decisively, but we have an opinion derived from a slight "goutiness" in the fine stroke of the figure 4 that No. 32409 is the forgery! so indeed it was. Yet the Bank Inspector had picked it out from the hundred genuine notes as instantaneously—pounced upon it as rapidly as if it had been printed with green ink upon card-board.

This, then, O gentlemen forgers and sporting-note alterers, is the kind of odds which is against you. A minute investigation of the note assured us of your exceeding skill and ingenuity; but it also convinced us of the superiority of the detective ordeal which you have to blind and to pass. In this instance you had followed the highwayman's plan, and had put with great cunning, the additional marks to the 1 in 32109 to make it into a 4. To hide the scraping out of the top or serif of the figure 1—to make the angle from which to draw the fine line of the 4—you had artfully inserted with a pen the figures "£16 16," as if that sum had been received from a person bearing a name that you had written above. You had with extraordinary neatness cut out the "6" from 1846, and filled up the hole with an 8, abstracted from some note of lesser value. You had fitted it with remarkable precision—only you had not got the 8 quite upright enough to pass the shrewd glance of the Bank Inspector.

We have seen a one-pound note made up of refuse pieces of a hundred other Bank notes, and pasted on a piece of paper, (like a note that had been accidentally torn,) so as to present an entire and *passable* whole.

To alter with a pen a 1 into a 4 is an easy task—to cut out the numeral from the *date* in one note and insert it into another needs only a tyro in paper-cutting; but to change the special *number* by which each note is distinguished, is a feat only second in impossibility to trumping every court-card of every suit six times running in a rubber of whist. Yet we have seen a note so cleverly altered by this expedient, that it was actually paid by the Bank cashiers. If the reader will take a Bank note out of his purse, and examine its "number," he will at at once appreciate the combination of chances required to find, on any other note, any other figure that shall displace any one of the

numerals so as to avoid detection. The "number" of every Bank note is printed twice on one line—first, on the words "I promise," secondly, on the words, "or bearer." Sometimes the figures cover the whole of those words—sometimes they only partly obscure them. No. 99066 now lies before us. Suppose we wished to substitute the "0" of another note for the first "9" of the one now under our eye; we see that the "9" covers a little bit of the "P," and intersects in three places the "r," in "Promise." Now, to give this alteration the smallest chance, we must look through hundreds of other notes till we find an "0" which not only covers a part of the "P" and intersects the "r" in three places, but in precisely *the same* places as the "9" on our note does; else the strokes of those letters would not meet when the "0" was let in, and instant detection would ensue. But even then the job would only be half done. The second initial "9" stands upon the "or" in "or bearer," and we should have to investigate several hundred more notes, to find an "0" that intersected that little word exactly in the same manner, and then let it in with such mathematical nicety, that not the hundredth part of a hair's breath of the transferred paper should fail to range with the rest of the letters and figures on the altered note; to say nothing of hiding the joins in the paper. This is the triumph of ambi-dexterity; it is a species of patch-work far beyond the most sublime achievements of "Old Patch" himself."

Time has proved that the steady perseverance of the Bank—despite the most furious clamor—in gradually improving their original note and thus preserving those most essential qualities, simplicity and uniformity—has been a better preventive to forgery than any one of the hundreds of plans, pictures, complications, chemicals, and colors, which have been forced upon the

Directors' notice. Whole-note forgery is nearly extinct. The lives of Eminent Forgers need only wait for a single addendum; for only one man is left who can claim superiority over Mathison, and he was, unfortunately for the Bank of England, born a little too late, to trip up his heels, or those of the late Mr. Charles Price. He can do everything with a note that the patchers, and alterers, and simulators can do, and a great deal more. Flimsy as a Bank note is to a proverb, he can split it into three perfect continuous, flat, and even leaves. He has forged more than one design sent into the Bank as an infallible preventive to forgery. You may, if you like, lend him a hundred-pound note; he will undertake to discharge every trace of ink from it, and return it to you perfectly uninjured and a perfect blank. We are not quite sure that if you were to burn a Bank note and hand him the black cinders, that he would not bleach it, and join it, and conjure it back again into a very good-looking, payable piece of currency. But we *are* sure of the truth of the following story, which we have from our friend the transcendent forger referred to, and who is no other than the chief of the Engraving and Engineering department of the Bank of England:—

Some years ago—in the days of the thirty-shilling notes—a certain Irishman saved up the sum of eighty-seven pounds ten, in notes of the Bank of Ireland. As a sure means of securing this valuable property, he put it in the foot of an old stocking, and buried it in his garden, where Bank-note paper couldn't fail to keep dry, and to come out, when wanted, in the best preservation.

After leaving his treasure in this excellent place of deposit for some months, it occurred to the depositor to take a look at it, and see how it was getting on. He found the stocking-foot ap-

parently full of the fragments of mildewed and broken mushrooms. No other shadow of a shade of eighty-seven pounds ten.

In the midst of his despair, the man had the sense not to disturb the ashes of his property. He took the stocking-foot in his hand, posted off to the Bank in Dublin, entered it one morning as soon as it was opened, and, staring at the clerk with a most extraordinary absence of all expression in his face, said,

"Ah, look at that, sir! Can ye do anything for me?"

"What do you call this?" said the clerk.

"Eighty-siven pound ten, praise the Lord, as I'm a sinner! Ohone! There was a twenty as was paid to me by Mr. Phalim O'Dowd, sir, and a ten as was changed by Pat Rielly, and a five as was owen by Tim; and, Ted Connor, ses he to ould Phillips ——"

"Well!—never mind old Phillips. You have done it, my friend!"

"Oh, Lord, sir, and it's done it I have, most com-plate! Oh, good luck to you, sir; can you do nothing for me?"

"I don't know what's to be done with such a mess as this. Tell me, first of all, what you put in the stocking, you unfortunate blunderer?"

"Oh yes, sir, and tell you true as if it was the last word I had to spake entirely, and the Lord be good to you, and Ted Conner ses he to ould Phillips, regarden the five as was owen by Tim, and not includen of the ten which was changed by Pat Rielly ——"

"You didn't put Pat Rielly or ould Phillips into the stocking, did you?"

"Is it Pat or ould Phillips as was ever the valy of eighty-sivin pound ten, lost and gone, and includen the five as was owen by Tim, and Ted Connor ——"

"Then tell me what you *did* put in the stocking, and let me take it down. And then hold your tongue, if you can, and go your way, and come back to-morrow."

The particulars of the notes were taken, without any reference to ould Phillips, who could not, however, by any means be kept out of the story; and the man departed.

When he was gone, the stocking-foot was shown to the then Chief Engraver of the notes, who said, that if anybody could settle the business, his son could. And he proposed that the particulars of the notes should not be communicated to his son, who was then employed in his department of the Bank, but should be put away under lock and key; and that if his son's ingenuity should enable him to discover from these ashes what notes had really been put in the stocking, and the two lists should tally, the man should be paid the lost amount. To this prudent proposal the Bank of Ireland readily assented, being extremely anxious that the man should not be a loser, but, of course, deeming it essential to be protected from imposition.

The son readily undertook the delicate commission proposed to him. He detached the fragments from the stocking with the utmost care, on the fine point of a pen-knife—laid the whole gently in a basin of warm water, and presently saw them, to his delight, begin to unfold and expand like flowers. By and by, he began to "teaze them" with very light touches of the ends of a camel's-hair pencil, and so, by little and little, and by the most delicate use of the warm water, the camel's-hair pencil, and the pen-knife, got the various morsels separate before him, and began to piece them together. The first piece laid down was faintly recognizable by a practiced eye as a bit of the left-hand bottom corner of a twenty-pound note; then came a bit of a five—then of a ten—then more bits of a twenty—then more

bits of a five and ten—then, another left-hand bottom corner of a twenty—so there were two twenties!—and so on, until, to the admiration and astonishment of the whole Bank, he noted down the exact amount deposited in the stocking, and the exact notes of which it had been composed. Upon this—as he wished to see and divert himself with the man on his return—he provided himself with a bundle of corresponding new, clean, rustling notes, and awaited his arrival.

He came exactly as before, with the same blank staring face, and the same inquiry, "Can you do anything for me, sir!"

"Well," said our friend, "I don't know. Maybe I *can* do something. But I have taken a great deal of pains, and lost a great deal of time, and I want to know what you mean to give me!"

"Is it give, sir? Thin, is there anything I wouldn't give for my eighty-sivin pound tin, sir; and it's murdered I am by ould Phillips."

"Never mind him; there were two twenties, were there not?"

"Oh, holy mother, sir, there was! Two most illigant twenties! and Ted Conner—and Phalim—which Rielly ——"

He faltered, and stopped as our friend, with much ostentatious rustling of the crisp paper, produced a new twenty, and then the other twenty, and then a ten, and then a five, and so forth. Meanwhile, the man occasionally murmuring an exclamation of surprise or a protestation of gratitude, but gradually becoming vague and remote in the latter as the notes reappeared, looked on, staring, evidently inclined to believe that they were the real lost notes, reproduced in that state by some chemical process. At last they were all told out, and in his pocket, and he st ll stood staring and muttering, "Oh, holy

mother, only to think of it! Sir, it's bound to you forever, that I am!"—but more vaguely and remotely now than ever.

"Well," said our friend, "what do you propose to give me for this?"

After staring and rubbing his chin for some time longer, he replied with the unexpected question—

"Do you like bacon?"

"Very much," said our friend.

"Then it's a side as I'll bring your honor to-morrow morning, and a bucket of new milk—and ould Phillips——"

"Come," said our friend, glancing at a notable shillelah the man had under his arm, "let me undeceive you. I don't want anything of you, and I am very glad you have got your money back. But I suppose you'd stand by me, now, if I wanted a boy to help me in a little skirmish?"

They were standing by a window on the top storey of the Bank, commanding a court-yard, where a sentry was on duty. To our friend's amazement, the man dashed out of the room without speaking one word, suddenly appeared in the court-yard, performed a war-dance round this astonished soldier—who was a modest young recuit—made the shillelah flutter, like a wooden butterly, round his musket, round his bayonet, round his head, round his body, round his arms, inside and outside his legs, advanced and retired, rattled it all around him like a firework, looked up at the window, cried out with a high leap in the air, "Whooroo! Thry me!"—vanished—and never was beheld at the Bank again from that time forth.

THE END.

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